Puerto Rico State Election Commission
San Juan, Puerto Rico

Optical Scanning Vote Counting System

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1 INTRODUCTION

The Election Law of the Commonwealth of Puerto Rico**, Law Number 78 of June 1st 2011**, as amended (hereinafter referred to as the Electoral Law) grants the Puerto Rico State Election Commission (hereinafter, CEE) the responsibility for planning, organizing, structuring, directing, and supervising the electoral entity and all election-related processes that govern any election to be held in Puerto Rico. This law defines the way in which general elections, special elections, primaries, and other elections shall be conducted. In addition, the law gives the CEE the responsibility for evaluating the various electronic voting systems available in the market for future implementation on elections in Puerto Rico.

Purpose of this Request for Proposals (RFP)

For those elections managed by the CEE, it has been decided that a precinct vote counting (colleges in Puerto Rico) system be established. This system will tabulate ballots as they are cast and will print results after the close of polling places. The technology selected for this vote counting system is the Optical Scanning Voting System (OpScan). The CEE decided to use the OpScan technology because it is the one that would pose the less disruption and changes to the election process currently used in Puerto Rico.

The CEE is soliciting proposals for the acquisition of all hardware, software, firmware and support services required for the implementation of the aforementioned OpScan system.

Authority under which this RFP is issued

This RFP is issued in accordance to the Laws of the Commonwealth of Puerto Rico, including applicable federal and local regulations. The terms, conditions, and eligibility requirements for this RFP are established herein. All requirements and procedures not specifically set forth herein shall be governed by the Bid Regulation of the CEE, approved on September 10, 2014, as amended, as well as any CEE resolution with respect to this bid.

2 OBJECTIVES

The objective of this RFP is to obtain proposals for the purchase, financed purchase or rental of all the hardware, software, firmware and support services required for the successful implementation of an OpScan system for the CEE.

The objectives for this new electronic precinct vote counting system are:

- To enable reporting result of more than 95% of colleges for an election, no later than three hours following the closing of the electoral college.
- To provide a voting system that: allows interaction between the voter and the vote counting machine, notifies the voter whether he/she has cast a valid vote and that gives the voter the opportunity to correct mistakes that would otherwise invalidate the vote.

3 DEFINITIONS

For purposes of this RFP, the following terms shall be defined as follows:

Word, Phrase or Abbreviation	Definition
Alarm	In the machine, an alarm will generate an audible sound that would alert the poll worker about a specific condition. In order to deactivate or silence the alarm, an action or acknowledgement from the poll worker shall be required.
Ballot Style	Particular set of contests to appear on the ballot for a particular election precinct, their order, the list of ballot positions for each contest, and the binding of candidate names to ballot positions.
CEE	Comisión Estatal de Elecciones, Spanish acronym for the State Elections Commission.
Central Processing Center	The CEE location in San Juan, PR where all the results for the Elections are received, processed, and reported. At this location is where the EMS will reside.
College	The physical location where the voters cast their vote. Generally, this would be a classroom within a school.
Contest	Decision to be made within an election for office, proposition or question. A single ballot may contain one or more contests.
Election Management System (EMS)	Software system composed of devices for designing ballots, receiving and coordinating election results transmitted from machines, tabulating votes, and performing general data management tasks related to the design of electoral contests and the calculation of election results.
Elections	General Elections, Special Elections, Primaries, Referendum and Plebiscite. An election consists of one or more ballots. Furthermore, elections can occur concurrently within a set date.
Electoral unit	A group of one or more colleges, which are grouped in one polling place. They are geographically delimited to serve a specific community.
Factory Acceptance Test (FAT)	A validation process performed by CEE staff at a previously determined location prior to accepting delivery of election system.
General Elections	Process by which every four (4) years candidates get elected for office: Governor, Resident Commissioner, District Senator, Senator at Large, District Representative, Representative at Large, Mayor and Municipal Legislator.
JAT	Junta de Asesores Técnicos. Spanish acronym for the CEE Technical Advisory Board.
Local Commission Office	Local CEE office located at Precincts or Municipalities.

Word, Phrase or Abbreviation	Definition
Machine	Optical scanning voting machine
Municipality	A political and geographic subdivision of Puerto Rico, assigned with governmental authority.
Notification	A notification is a message generated at the machine display that will not generate an audible sound. The machines shall stop accepting ballots until the Notification is acknowledged by a poll worker.
OSIPE	Oficina de Sistemas de Información y Procesamiento Electrónico. Spanish acronym for the CEE Information Systems and Electronic Processing Office
Over Vote	Voting for more than the maximum number of selections allowed in a contest.
Plebiscite	Process by which electors get presented with one or more specific questions regarding matters of political status.
Polling Place	A physical location that holds one or more electoral units. Generally, this would be a school.
Precinct	A group of one or more electoral units, made up of a municipality or part thereof.
Primaries	Process by which individuals get elected for candidacies from each political party.
Referendum	Process by which electors get presented with one or more specific propositions regarding matters of public policy or legislation.
Solution	The particular software packages sold to the CEE as part of the OpScan project
Special Elections	Process by which candidates get elected for office to replace one or more vacancies.
Under Vote	Voting less than the maximum number allowed for that contest.
Test Report	Document from an EAC accredited Voting System Test Laboratory (VSTL) that records data obtained from an evaluation performed according to the 2005 Voluntary Voting System Guidelines (VVSG).

4 CLASSIFICATION OF REQUIREMENTS

All the requirements set forth in this RFP shall be as follows:

Requirement	Definition
Mandatory	Describes a feature, condition or documents that must be available and fully developed at the time of response to this RFP. Proponent shall be required to show evidence of compliance with mandatory requirements if invited for a demonstration during the proposal evaluation phase. Systems that do not meet all Mandatory requirements shall be disqualified from further evaluation. Non-compliance with Mandatory requirements throughout the implementation of the project shall cause the contract to be rescinded.
Mandatory at FAT	Describes a feature, condition, document or device that must be available at time of the FAT. Proponent shall respond whether their existing systems, as proposed on this RFP, meets or does not meet the mandatory at FAT requirement at time of proposal submittal. The response towards a mandatory at FAT requirement shall be a YES or NO answer. If the proponent answers NO to the question, the proponent shall describe how the system will be modified in order to meet such mandatory at FAT requirements. Failure to provide the latter explanation shall be cause of disqualification. Eventually, non-compliance with Mandatory at FAT requirements during the FAT execution, shall cause the contract to be rescinded.
Mandatory during Implementation	Describes a requirement that must be met during the contract period, including but not limited to, professional services, technical support, and trainings. A brief description of how each Mandatory During Implementation requirement will be met must be included in the RFP response. Proposals that do not include this information shall be disqualified. Non-compliance with Mandatory During Implementation requirements during project implementation shall cause the contract to be rescinded.
Preferred	Describes a feature that a proponent can determine whether or not to offer it as part of the proposal. The proponent shall have the feature available at the time of response to this RFP. A proponent that does not comply with a preferred requirement shall not be disqualified for that reason, but proponents who have met these preferred requirements shall receive qualification points. Proponents shall be required to show evidence of compliance with the preferred requirements identified as available in their proposals if invited for a demonstration during the proposal evaluation phase.
Optional	Describes a feature that a proponent can determine whether or not to offer it as part of the proposal. The proponent shall have the feature

Requirement	Definition
	Available at the time of response to this RFP. A proponent that does not comply with the optional requirement shall not be disqualified for that reason, but proponents who have met these optional requirements shall not receive qualification points. Once this requirement is presented as part of this proposal, the CEE will take it into account during the project implementation.

5 BACKGROUND

5.1 The Electoral Process of Puerto Rico

Puerto Rico Electoral law sets forth the requirements for general elections, whereby qualified voters elect by direct vote and simple majority the following positions: Governor, Resident Commissioner, Members of the Senate and the House of Representatives, Mayors, and the Municipal Legislators. This general election is held every four years. The next general election will be held on November 8, 2016. The general election day is an official holiday in Puerto Rico.

Currently, there are three registered political parties. Puerto Rico's Electoral Law allows for the registration of new political parties. In the last General Election held in 2012, six island-wide political parties participated and several local political parties presented candidates for specific municipalities. Each political party has the right to hold primaries for the election of candidates for the various positions. The primaries will be held on June 5, 2016.

The registered voter participation rate for the 2012 general election was 78.41% (1,884,151 out of 2,402,941 registered voters). There were 1,533 active electoral units and 7,255 colleges.

5.2 Summary of Current Voting System

For election purposes, Puerto Rico is divided into eight senatorial districts and forty representative districts. Each senatorial district may include between seven and eighteen precincts, while each representative district may include between one and six precincts. **Appendix A** shows the senatorial districts and the distribution of the representative districts within each one of them. There are 110 precincts in Puerto Rico. Within these electoral precincts, there are currently 1,533 electoral units which are typically located at schools or other public or private buildings. Within each electoral units there are between one and twelve colleges. Voters are assigned alphabetically to each college. The quantity of electors assigned to each college, varies depending on the type of election. Traditionally, in a general election, each college has approximately 373 voters assigned. In all prior general elections, voters in Puerto Rico have used paper ballots that were later tabulated by hand. On General Election Day, each voter receives three separate paper ballots. The first ballot is the Electoral Ballot, which is used to elect the Governor and the Resident Commissioner. The State Electoral Ballot is identical throughout Puerto Rico. The second ballot is the Legislative Electoral Ballot, which is used to elect the entire legislature (51 members of the House of Representatives, including 11 at large, and 27 members of the Senate, including 11 at large). The Legislative Electoral Ballot is different for each one of the 110 precincts. The third ballot is the Municipal Electoral Ballot, which is used to elect the mayors and municipal legislators for each of Puerto Rico's 78 municipalities. The Municipal Electoral Ballot is different in every municipality. There is a fourth ballot (Federal Electoral Ballot), which is used for absentee voting. This fourth ballot is used only for the election of the Resident Commissioner. In a general election there will be a total of 190 different ballots. **Appendix B** includes samples of the four different ballot types used during the General Elections and Primaries.

5.3 Precinct Canvassing – General Elections

The Electoral Law sets forth the rules for canvassing votes in Puerto Rico. What follows are the canvassing rules that will be applicable to the 2016 General Election. For clarity purposes, the different types of votes recognized by the Puerto Rico Electoral Law are listed in quotes as they are currently referred to in Spanish.

5.3.1 Candidates for each position

The maximum number of candidates a party can present, the maximum number for which an elector can vote and the number of candidates that can get elected; are depicted on **Appendix C**.

5.3.2 Ballot Classification – General Elections

Ballots are classified according to the way in which they have been cast. It is required to keep a registry of the total number of ballots cast for each classification. This information would enable political parties to perform statistical evaluations of election results. Casted ballots are classified as follows.

5.3.2.1 Blank Ballots

Blank ballots are those with no marks under any of the evaluation areas.

5.3.2.2 "Protestadas" Ballots

The "protestadas" ballots are those cast only under the political insignia of two or more political parties. Furthermore a "protestada" ballot, is one where ALL contests where over voted.

5.3.2.3 "Adjudicadas" Ballots

The "adjudicadas" ballots are those that contain at least on valid vote under a particular contest. The "adjudicadas" ballots are classified as:

- "Íntegro" ballot. The total number of "Íntegro" ballots for each political party are tabulated.
- "Mixto" ballot. The total number of "mixto" ballots for each political party are tabulated.
- "Candidatura" ballot. The total number of "candidatura" ballots are tabulated.

5.3.2.3.1 "Íntegro" Vote (INT)

This is a vote for all of the candidates of one party on the same ballot. It is generally casted by placing a mark below the party's insignia on the ballot. The following rules apply for the "Íntegro" vote for each one of the ballot types. Typically this vote is referred to as a straight ballot.

5.3.2.3.1.1 Federal Electoral Ballot Tabulation

There is no an option to make an "Íntegro" vote on the federal ballot.

5.3.2.3.1.2 Electoral Ballot Tabulation

An "Íntegro" vote on the State Electoral Ballot will generate the following tabulation:

- One "Íntegro" vote for the political party selected – on the State Electoral Ballot.
- One "Íntegro" vote for the candidate for *Governor* of the party selected – always listed in the first position of the ballot.
- One "Íntegro" vote for the candidate for *Resident Commissioner* of the party selected – always listed in the second position of the ballot.

5.3.2.3.1.3 Legislative Electoral Ballot Tabulation

An "Íntegro" vote in the Legislative Electoral Ballot will generate the following tabulation:

- One "Íntegro" vote for the political party selected – in the Legislative Electoral Ballot
- One "Íntegro" vote for the candidate for *District Representative* of the party selected – always listed on the first position of the ballot.
- One "Íntegro" vote for each of the 2 candidates for *District Senator* of the party selected – always listed on the second and third position of the ballot.
- One "Íntegro" vote for the top candidate for *Representative at Large* of the party selected – always listed on the fourth position of the ballot.
- One "Íntegro" vote for the top candidate for *Senator at Large* of the party selected – generally listed on the tenth position of the ballot. However, depending upon how many candidates a party presents, this position can be listed between the tenth to the twenty-fifth position.

5.3.2.3.1.4 Municipal Electoral Ballot Tabulation

An "Íntegro" vote in the Municipal Electoral Ballot will generate the following tabulation:

- One "Íntegro" vote for the political party selected – in the Municipal Electoral Ballot
- One "Íntegro" vote for the candidate for *Mayor* of the party selected - always listed on the first position of the ballot.
- One "Íntegro" vote for each one of the candidates for *Municipal Legislator* of the party selected – Always listed from the second to the fourteenth position. Depending upon how many Municipal Legislator the municipality has.

5.3.2.3.2 "Mixto" Vote (MIX)

A "Mixto" vote is a vote in which the voter has selected one party by placing a mark below the party's insignia but where the voter has also voted for: (a) specific candidates from other parties, (b) independent candidates, (c) write-in candidates, (d) senator at large or (e) representative at large the latter both from the same party. A ballot may be considered a valid "mixto vote", even though no candidate was selected from the party marked by the voter. Typically this vote is referred to as a split vote.

5.3.2.3.2.1 Federal Electoral Ballot

There is no option to cast a "mixto" vote in the Federal Ballot.

5.3.2.3.2.2 State Electoral Ballot

A "mixto" vote in the State Electoral Ballot will generate the following tabulation:

- One "mixto" vote for the political party selected on the State Electoral Ballot.
- One "mixto" vote for the candidate for Governor of the party selected, unless another candidate for Governor from another party is specifically voted, this also includes a write-in nomination as well as an independent candidate. In this case the candidate or write-in nomination whose vote received a mark, will accumulate one "mixto" vote, and the candidate from the political party selected will not receive the vote.
- One "mixto" vote for the candidate for Resident Commissioner of the party selected, unless another candidate for Resident Commissioner from another party is specifically voted, this also includes a write-in nomination as well as an independent candidate. In this case the candidate

Or write-in nomination whose vote received a mark, will accumulate one “mixto” vote, and the candidate from the political party selected will not receive the vote.

5.3.2.3.2.3 Legislative Electoral Ballot

A “mixto” vote in the Legislative Electoral Ballot will generate the following tabulation:

- One “mixto” vote for the political party selected on the Legislative Electoral Ballot.
- One “mixto” vote for the candidate for District Representative of the party selected, unless another candidate for District Representative from another party is specifically voted, this also includes a write-in nomination as well as an independent candidate. In this case the candidate or write-in nomination, whose vote received a mark, will accumulate one “mixto” vote, and the candidate from the political party selected will not receive the vote.
- One “mixto” vote for each of the two candidates for District Senator of the party selected, unless one or two candidates for District Senator from another parties are specifically voted, this also includes a write-in nomination as well as an independent candidate. In these cases, the candidates or write-in nominations specifically voted will accumulate one “mixto” vote. Candidates at similar position number in the ballot, from the political party selected, will not receive the vote. In the specific situation that the voter selects a candidate from the selected party and another candidate from the party whose insignia was not selected, write-in, or independent candidate, the candidate without a mark, will not receive the vote.
- One “mixto” vote for the header candidate for Representative at Large of the party selected, unless another candidate for Representative at Large from another party is specifically voted, including write-in nomination as well as an independent candidate. In this case the candidate or write-in nomination, whose vote received a mark, will accumulate one “mixto” vote. The candidate from the political party selected will not receive the vote. In the specific situation that the voter selects a candidate from the same party whose insignia was marked and that is not the header of the list for Representative at Large candidates, the candidate whose vote received a mark, will accumulate one “mixto” vote, and the header candidate from the political party selected will not receive the vote.
- One “mixto” vote for the header candidate for Senator at Large of the party selected, unless another candidate for Senator at Large from another party is specifically voted, including write-in nomination as well as an independent candidate. In this case the candidate or write-in nomination, whose vote received a mark, will accumulate one “mixto” vote. The candidate from the political party selected will not receive the vote. In the specific situation that the voter selects a candidate from the same party whose insignia was marked and that is not the header of the list for Senator at Large candidates, the candidate whose vote received a mark, will accumulate one “mixto” vote, and the header candidate from the political party selected will not receive the vote.

5.3.2.3.2.4 Municipal Electoral Ballot

A “mixto” vote in the Municipal Electoral Ballot will generate the following tabulation:

- One “mixto” vote for the political party selected on the Municipal Electoral Ballot
- One “mixto” vote for the candidate for Mayor of the party selected, unless another candidate for Mayor from another party is specifically voted, this also includes a write-in nomination as well as an independent candidate. In this case the candidate or write-in nomination whose vote received a mark, will accumulate one “mixto” vote, and the candidate from the political party selected will not receive the vote.

- One “mixto” vote for each Municipal Legislator candidate of the party selected, unless another candidate for Municipal Legislator from another party is particularly voted, this also includes a write-in nomination as well as an independent candidate. In this case the candidates or write-in nomination whose vote received a mark, will accumulate one “mixto” vote, and the candidate from the political party selected will not receive the vote, starting from the candidates from the bottom of the list of Municipal Legislator candidates of the party selected. In the specific situation in which the voter selects candidates from the same party whose insignia was marked, they will receive a “mixto” vote. The quantity of candidates from the political party selected that will not receive the “mixto” vote, will be equal to the quantity of candidates for Municipal Legislator and write-in nomination that were selected.

5.3.2.3.3 “Candidatura” Vote (CAN)

In a “candidatura” vote, the voter has not selected a party but has selected candidates or written-in nominations. Only those candidates or write-in nominations receive votes.

5.3.2.3.3.1 Federal Electoral Ballot

One “candidatura” vote for the Federal Electoral Ballot.

- One “candidatura” vote for each candidate selected or indicated in the write-in nomination

5.3.2.3.3.2 State Electoral Ballot

One “candidatura” vote for the State Electoral Ballot.

- One “candidatura” vote for each candidate selected or indicated in the write-in nomination

5.3.2.3.3.3 Legislative Electoral Ballot

One “candidatura” vote for the Legislative Electoral Ballot.

- One “candidatura” vote for each candidate selected or indicated in the write-in nomination

5.3.2.3.3.4 Municipal Electoral Ballot

One “candidatura” vote for the Municipal Electoral Ballot.

- One “candidatura” vote for each candidate selected or indicated in the write-in nomination

5.4 **Data to be tabulated**

To perform specific evaluations of the results from the elections the following votes are tabulated for state electoral ballots, legislative electoral ballots and municipal electoral ballots:

- Total “integro” votes received by each candidate.
- Total “mixto” votes received by each candidate and write-in.
- Total “candidatura” votes received by each candidate and write-in.
- Total votes obtained by each candidate and write-in.
- Total over votes for each contest.
- Total under votes for each contest.
- Total of “íntegro” ballots for a political party.

- Total of “mixto” ballots for a political party.
- Total of “candidatura” ballots.
- Total of “adjudicadas” ballots.
- Total of “protestadas” ballots.
- Totals of blank ballots.
- Total ballots.

5.5 Precinct Canvassing – Primary Elections

The Puerto Rico Electoral Law sets forth the rules for canvassing votes in Puerto Rico. What follows are the canvassing rules that will be applicable to the 2016 Primary Election. It is important to note that the Primary Elections for all the political parties are scheduled on the same day and that the system will have to manage each election concurrently and independently from each political party.

5.5.1 One Ballot for each Position

For each position on the General Election contest that there are more applicants than available seats as determined by each political parties there will be a separate ballot. Each political party could have the following ballots on a Primary Election on each Precinct:

- Governor Ballot
- Resident Commissioner Ballot
- District Senator Ballot
- At Large Senator Ballot
- District Representative Ballot
- At Large Representative Ballot
- Municipal Ballot
- Municipal Legislator Ballot

It is important to note that not all Precincts will have all the ballots as there might be precincts with no primary elections for a specific position.

5.5.2 Maximum Candidates for each Position

The maximum candidates accepted by the system will depend on the ballot as follows:

Ballot Styles	Maximum Candidates
Governor	1
Resident Commissioner	1
District Senator	2
Senator at Large	6[1]
District Representative	1
Representative at Large	6[1]
Mayor	1
Municipal Legislator	14

5.5.3 Data to be tabulated

For Primary Elections Ballot the following votes are tabulated:

- Total votes obtained by each candidate or write-in nomination.
- Total over votes by contest.
- Total under votes, only for contests with multiple selection.
- Total of “adjudicadas” ballots.
- Total of “protestadas” ballots.
- Totals of blank ballots.
- Total ballots

[1] Note that even on general elections for Senators at Large and Representatives at Large, each political party can present 11 candidates from each of the aforementioned contests. Nevertheless, political parties have decided to present up to a maximum of 6 candidates.

6 GENERAL REQUIREMENTS

6.1 OpScan Quantities

The proponent will assume a contractual obligation of securing the proposed price for a minimum of six thousand (6,000) machines up to a maximum of seven thousand five hundred (7,500), to be acquired before December 1st, 2015.

6.2 System Certification

6.2.1 Certification Requirement – Mandatory

The proposed Optical Scanning System (OpScan) shall hold certifications by the United States Electoral Assistance Commission (EAC), at the time of the proponent's RFP submittal, in compliance with either of the following requirements:

- the 2005 Voluntary Voting System Guidelines (2005 VVSG) or,
- the 2002 Voting System Standards (2002 VSS) or,

If the proponent does not hold an OpScan system certified by either of the above-mentioned guidelines and standards; the proponent shall provide proof of compliance and certification that the proposed OpScan system has been effectively implemented in at least three (3) elections, each having a minimum of 400,000 turnout voters. The proof of compliance and certification herein mentioned is found under **Appendix D.**

6.2.2 Certification Requirement – Preferred

Although either one of the aforementioned certifications are required, those Proponent's whose OpScan systems are previously certified in compliance with the 2005 VVSG be issued by the EAC, will receive an additional scoring value.

6.3 Other general requirements for non-certified machines

Proponent shall provide a test report by one of the accredited EAC laboratories, also known as Voting System Test Laboratories (VSTL), or an equivalent document wherein it is stated that the proponent's system has been tested or reported upon by a recognized entity for security and accuracy. The test report or equivalent document (whichever the case) shall be provided at the time of the proponent's RFP submittal.

6.3.1 Usability and accessibility requirements - Mandatory

The system must facilitate the participation of disabled voters in compliance with the minimum guidelines as published by the United States Federal Government in the Help America Vote Act (HAVA) of 2002, as amended. Below are the sections of guidelines which the proponent must comply with, as applicable to the proponent's OpScan system.

This requirement shall be met by providing a test report from the aforementioned accredited laboratories and in compliance with the following sections of the 2005 VVSG:

a) Volume I Section 3.1: Usability Requirements
b) Volume I Section 3.2: Accessibility Requirements
c) Volume II Section 6.5: Usability and Accessibility Testing

The proponent must offer proof of compliance herein mentioned by providing a test report by one of the accredited EAC laboratories, also known as Voting System Test Laboratories (VSTL).

6.4 Hardware Colors – Mandatory at Implementation

All hardware colors shall be white, black, yellow, gray, or translucent. This includes machines, buttons, displays, cases and removable memory devices.

6.5 Machine Weight – Preferred

The machine shall weigh less than or equal to 20 pounds.

6.6 Power Requirements – Mandatory

All electrical input for the electronic and electrical equipment to be provided as part of this project shall run on single-phased, 120 Vac at 60 Hz. The proponent shall specify power consumption in Amps for each piece of equipment.

Proponent will be responsible for specifying the electrical requirements of all the hardware to be installed and to coordinate with the CEE for power availability prior to installation.

6.7 Equipment Electronic Identification Tags – Mandatory at implementation

Proponent shall install on each machine a radio frequency identification (RFID) tag. Such RFID will be provided by CEE and shall be installed on a secure place, easily accessible for possible replacements.

6.8 Project Implementation Support

6.8.1 Factory Acceptance Test (FAT) – Mandatory at Implementation

Proponent shall consider as part of the scope of this proposal a FAT to be executed at proponent's facilities. The FAT is expected to last for approximately 21 days. As part of this FAT, the proponent shall provide a staging area where a sample programming of the Puerto Rico primary elections and a general election shall be pre-configured on multiple machines. The system's functionality shall be tested with different ballot scenarios and the tabulation results will be reviewed to assure that the hardware and the software are working according to requirements. The FAT shall be developed by the CEE and shall be executed and witnessed by representatives of all Puerto Rico's political parties. The test shall cover all system areas and shall not be limited to the machines. The outline of the FAT protocol content is submitted as **Appendix E** of this RFP. A draft of the FAT protocol will be available for proponent revision during the mandatory pre-bid meeting.

During the FAT, the proponent shall provide:

6.8.1.1 The facilities for executing the FAT

6.8.1.2 All the required ballots for the FAT execution. In order to assure that the FAT execution resembles the actual electoral process, the paper to be used for the ballots shall be have a minimum thickness such that the paper is not translucent and is compatible with the proposed equipment.

6.8.1.3 Mock election programming and setup. The EMS shall have a mock election design and Setup Device capable of hierarchically structuring and managing elections as mentioned before.

6.8.1.4 Communication infrastructure to perform the data transfer between the machines and a Central Processing Center similar to the one included in the project.

6.8.1.5 All the hardware to be used for testing including vote scanning machines, centralized data transfer hardware, and central processing computer.

6.8.1.6 Technical support during the test

6.8.1.7 Temporary office space for up to 12 representatives from the CEE with Internet connectivity to be used during the FAT

The CEE will be responsible for all travel and living expenses of the CEE personnel assigned to the FAT and for providing the testing protocol.

Daily meetings shall be conducted between CEE personnel and proponent staff to discuss findings and results. In case that a non-conforming test case results from the FAT, an action plan to solve the situation shall be developed as soon as possible. Ideally, all corrective actions including re-tests shall be performed prior to the completion of the FAT. The FAT shall not be considered successful until 100% of the test cases results are performed satisfactory.

If the FAT has to be aborted due to equipment malfunction, software or firmware problems, the CEE shall have the right to cancel the test and return its personnel to Puerto Rico. In that situation, proponent shall be responsible for the travel and living expenses of the entire CEE test team for the execution of the next FAT if it's the decision of the CEE to execute a second FAT.

A failure on the FAT whose extent is not feasible to be corrected and executed on the same execution period might be considered sufficient cause for declaring a breach of contract and executing the Performance Bond.

6.8.2 Validation Support – Mandatory at Implementation

Once the machines are delivered and all the equipment is installed and commissioned by the proponent, the CEE shall execute a full validation protocol consisting of installation, operation, and performance tests. Proponent shall provide on-site technical support during this effort in order to discuss the findings and results of the validation protocol. In the event of non-conforming results, proponent shall be responsible for performing any modifications required in order to comply with the all the project requirements and to satisfy the acceptance criteria for the validation protocol.

The CEE shall be responsible for executing the validation protocol.

Proponent is responsible for the installation and commissioning of the EMS system. Proponent shall be responsible for the travel, living, and incidental expenses of the support staff for the installation and the commissioning of the system.

6.8.3 Ballot Styles Configuration – Mandatory at Implementation

Proponent shall configure two hundred thirty four (234) different ballots for both elections (Primary Elections 2016 and General Elections 2016). For the general elections, the proponent will provide a total of 190 ballots types, and for the primary elections, the proponent will provide a total of 44 ballots types. However, the CEE reserves the right to substitute the ballot descriptions indicated on table 2. Any substitution made by the CEE, will not alter the total amount of ballots to be configured. The suggested distribution of these ballots is:

Table 1: Ballots for General Election

Ballot Description	Number of Different Ballots	Number of Ballot Styles
State Electoral Ballot	1[2]	110
Legislative Electoral Ballot	110	
Municipal Electoral Ballot	78[3]	
Federal Electoral Ballot	1[4]	
Total	**190**	

Table 2: Ballots for Primary Elections

Ballot Description	Number of Different Ballots
Governor – Primary	2
Resident Commissioner – Primary	2
District Representative – Primary	12
At Large Representative – Primary	2
District Senator – Primary	12
At Large Senator – Primary	2
Municipal – Primary	12[5]
Total	**44**

[2] All the State Electoral Ballots shall have the same format. The system shall recognize the precinct of origin of each ballot for reporting purposes and it shall tabulate all votes in the State Electoral Ballot on a precinct basis. A total of 110 different ballot styles will be required for the State Electoral Ballot.

[3] The Municipal Electoral Ballots shall have the same format for the entire municipality. As there are several municipalities that have multiple precincts, the system shall recognize the precinct of origin of each ballot for reporting purposes and it shall tabulate all votes in the Municipal Electoral Ballot on a precinct basis. A total of 110 different ballot styles will be required for the Municipal Electoral Ballot.

[4] All the Federal Electoral Ballots shall have the same format. The system shall recognize the precinct of origin of each ballot for reporting purposes and it shall tabulate all votes in the Federal Electoral Ballot on a precinct basis. The votes received by the Resident Commissioner from the Federal Electoral Ballot shall be integrated with the votes received by the Resident Commissioner from the State Electoral Ballot. A total of 110 different ballot styles will be required for the Federal Electoral Ballot.

[5] Out of the required Municipal Primary Ballots it will be required to configure different variations of the municipal ballots such as Municipal Legislators Election Only, grouped candidacies between a mayor candidate, municipal legislators and mayor only.

As part of the system validation, each developed ballot shall be tested with an operational qualification protocol.

6.8.4 Infrastructure Development Support

6.8.4.1 Communications Infrastructure Project Support – Mandatory at Implementation

The proponent shall describe all remote communications technology necessary to transmit results from the machines into the EMS. This description must detail all data communication requirements, total bandwidth, speed requirements, and supporting hardware devices to be connected to the Central Processing Center. The CEE shall provide this infrastructure.

These requirements shall take into consideration that approximately 7,500 colleges in about 1,600 electoral units will be reporting results within two hours following the end of the elections. Proponents shall note that the elections will end simultaneously in all polling places, and that, as a result, extremely high communications traffic shall be expected.

Proponent shall be available to support the implementation of any communications infrastructure projects as part of its support services.

Proponent shall be responsible for the system integration regarding the communication infrastructure and their system.

6.8.4.2 Support during Certification of Printing Facilities – Mandatory at Implementation

The proponent shall provide technical support and assistance leading up to the certification of up to four ballot printing facilities. This support shall be provided as part of the proposal. The support shall include any required testing, documentation, and equipment evaluation. All selected printing facilities shall be required to provide all equipment, labor, and materials including but not limited to ballot paper and ink, necessary for printing the ballots.

The certification support to include but not be limited to:

- Initial meeting to be held in San Juan, where the certification requirements will be explained to all interested parties
- Delivery of the technical specification requirements for certification
- Off-site support to the printing facilities during their certification process
- Inspection visit to the printing facilities to verify and certify compliance with the technical specifications for certification.
- Supply complete specifications for the different types of paper, including length and thickness, to be used for printing the ballots

6.8.4.3 Ballot Box Inspection and Certification Services – Mandatory at Implementation

Proponent shall provide the inspection and approval of the replicated ballot boxes as part of the support service in order to confirm to CEE that the ballot boxes provided by local proponents are in compliance with the ballot box design and specifications.

6.8.5 Project Management Support – Mandatory

Proponents must provide project management support throughout the entire life cycle of the project. Additionally, the proponent shall provide an organizational chart for the project, detailing the qualifications of each project team member.

The organizational chart shall indicate the chain of commands, as well as, designate the individuals responsible and accountable for the completion of each component and deliverable in the RFP.

Furthermore, the following information shall be provided for each project staff member:

a) Project role
b) Curriculum Vitae
c) Location(s) where work will be performed
d) Duration of employment with the proponent
e) Resource allocation percentage

Finally, the CEE requires that the project manager or individual responsible for the execution and completion of the project shall have experience in at least two (2) general election cycles in a Federal or national level managing projects of similar size and complexity.

6.8.6 On Site Support for Elections- Mandatory at Implementation

Technical support shall be provided and included as part of the proposal based on the implementation of two elections during this electoral cycle; a Primary Elections and a General Elections.

Proponent shall provide technical support during the following elections: for the 2016 General Election and Primaries. The proponent shall provide certified EMS hardware support technicians from the equipment manufacturer company. Each Labor Day is expected to encompass 12 working hours.

This support considers local support by competent personnel prior, during and post-election. This support will assist the CEE with any issues that arise during an election, but will not be in charge of running the election.

6.8.6.1 Local Technical Support during Two Mock General Elections and Primaries

Proponent shall provide the following technical support during this election:

Two (2) support staff for the Central Processing Center

A minimum of three (3) days of local support services will be required: one (1) day prior to the election, the day of the election, and one (1) day after the election. Each day is expected to encompass 12 working hours.

6.8.6.2 Local Technical Support during Primaries

Proponent shall provide the following technical support during this election:

- Two (2) field technicians to assist with any difficulties with the machines or with data transmission
- Two (2) support staff for the Central Processing Center

A minimum of five (5) days of local support services shall be required: three (3) days prior to the election, the day of the election, and one (1) day after the election. Each day is expected to encompass 12 working

hours.

A minimum of fifteen (15) calendar days will be required for two (2) support staff for the Central Processing Center for the canvassing process. The exact starting date for the canvassing process shall be coordinated as part of the project implementation process.

Proponent shall be responsible for the travel, living, and incidental expenses of the support staff provided for this election.

CEE Recommends that, whenever possible, the proponent consider hiring of local, Spanish speaking professionals to save on travel and living and help the local economy.

6.8.6.3 Local Technical Support during General Election

During the General Election the proponent shall be responsible for providing the following technical support.

- Two (2) field technicians to assist with any difficulties with the machines or with data transmission. For the General Election the field equipment support staff shall be located on the CEE main operations building in San Juan and they shall be available for telephone support for CEE's field technician, which will be strategically located on different locations throughout Puerto Rico.
- Four (4) support staff for the Central Processing Center

A minimum of five (5) days of local support services shall be required: three (3) days prior to the election, the day of the electoral election, and one (1) day after the election. Each day is expected to encompass 12 working hours.

A minimum of 15 calendar days shall be required for two (2) support staff for the Central Processing Center for the canvassing process. The exact starting date for the canvassing process shall be coordinated as part of the project implementation process.

Proponent shall be responsible for the travel, living, and incidental expenses of the support staff provided for this election.

CEE Recommends that, whenever possible, the proponent consider hiring of local, Spanish speaking professionals to save on travel and living and help the local economy.

6.8.7 EMS, DB and OS Installation and Configuration – Mandatory at Implementation

Proponent shall be responsible for the provision, installation, configuration, start up and commission of all the hardware and software required by the EMS. Proponent shall specify power and data connections requirements to be located within 10 feet of the designated location of the system. CEE will provide the required connection as specified. Proponent shall provide any additional site specification to be provided by CEE. Proponent shall coordinate at least eight (8) weeks in advance with the CEE for the installation schedule.

Proponent shall be responsible for all travel, living, and incidental expenses for their staff.

CEE Recommends that, whenever possible, the proponent consider hiring of local, Spanish speaking professionals to save on travel and living and help the local economy.

6.8.8 Logic and Accuracy Test Support – Mandatory at Implementation

CEE will require execute a Logic and Accuracy Testing (L&A) for all the machines to be used on each election.

- Proponent shall be responsible for providing required support for the development of the testing procedure and the definition of the ballot test deck for reach test.
- Proponent shall be responsible to provide On Site technical support during the execution of these Logic and Accuracy testing for each one of the elections. CEE will be responsible for the Logic and Accuracy testing execution.

6.8.9 Training

6.8.9.1 Training Language – Mandatory at Implementation

All the trainings specified below should be conducted in Spanish by experienced and competent staff whose credentials shall be presented to and validated by the CEE prior to any sessions.

6.8.9.2 Training Materials – Mandatory at Implementation

CEE shall receive electronic copies of all training materials and visual aids used in all training sessions. The CEE shall have the right to record, reproduce, translate, and adapt these materials and visual aids free of coverage for its own use.

6.8.9.3 Operational Training for the EMS – Mandatory at Implementation

Proponent shall provide an operational, hands-on training for the EMS. This training shall include, but not be limited to:

- Power-on of the system
- Installation and configuration
- Diagnostic processes
- User management
- Ballot design
- Data uploads
- Receipt of data transmissions from the voting machines
- Report generation
- Detection of duplicated data transfer attempts
- System contingency plan execution
- Disaster recovery plan execution
- Data recovery and backup verification
- System shutdown
- Troubleshooting
- Audit trails

Training sessions shall accommodate 10 participants and the CEE will provide the necessary facilities. Proponent shall indicate the duration of the training.

Proponent shall be responsible for the travel, living, and incidental expenses of trainers.

The training manuals must be user friendly, easy to follow, include a detail list of any and all messages issued by the system, and the appropriate action applicable to each message. In addition to hands on training, the training should include quizzes and final examen to reinforce the staff's learning experience and allow the CEE to determine the efficacy of said training on its personnel.

CEE Recommends the hiring of local, Spanish speaking Instructors to save on travel and living and help the local economy.

6.8.9.4 Operational Training for the Machines – Mandatory at Implementation

Proponent shall provide an operational, hands-on training for the voting machines. This training shall include, but not be limited to:

- Power-on of the voting machine
- Diagnostic processes
- Reset processes including reports
- Voting processes
- Paper jam procedures
- Closing of the voting process
- Report generation
- Non-volatile memory transfer to transmission hardware
- Power-on of the data transfer hardware and communications verification
- Data transmission and confirmation of data transfers
- Power-off of the voting machine
- Power-off of the data transfer hardware and communications verification
- Troubleshooting
- Audit trails

Training sessions shall accommodate 20 participants and the CEE will provide the necessary facilities. Proponent shall indicate the duration of the training.

Proponent shall be responsible for the travel, living, and incidental expenses of trainers.

The training manuals must be user friendly, easy to follow, include a detail list of any and all messages issued by the system, and the appropriate action applicable to each message. In addition to hands on training, the training should include quizzes and final examen to reinforce the staff's learning experience and allow the CEE to determine the efficacy of said training on its personnel.

CEE Recommends the hiring of local, Spanish speaking Instructors to save on travel and living and help local the economy.

6.8.9.5 Service and Troubleshooting Training – Mandatory at Implementation

Proponent shall provide a hands-on service and troubleshooting training for the voting machines and the backup transmission units. This training shall include, but not be limited to:

- Required service procedures
- Diagnostic processes
- Uninterruptible Power Supply troubleshooting procedures
- Machine replacement procedures including data transfers
- Audit trails
- Data recovery and backup verification

Training sessions shall accommodate 20 participants and the CEE will provide the necessary facilities. Proponent shall indicate the duration of the training.

Proponent shall be responsible for the travel, living, and incidental expenses of trainers.

The training manuals must be user friendly, easy to follow, include a detail list of any and all messages issued by the system, and the appropriate action applicable to each message. In addition to hands on training, the training should include quizzes and final examen to reinforce the staff's learning experience and allow the CEE to determine the efficacy of said training on its personnel.

CEE Recommends the hiring of local, Spanish speaking Instructors to save on travel and living and help the local economy.

6.8.9.6 Maintenance Training – Mandatory at Implementation

Proponent shall provide hands-on maintenance training for the voting machines. This shall include, but not be limited to:

- Diagnostic processes
- Required maintenance procedures
- Uninterruptible Power Supply diagnostic and maintenance procedures
- Parts replacement

Training shall accommodate 10 participants and the CEE will provide the necessary facilities. Proponent shall indicate the duration of the training.

Proponent will be responsible for the travel, living, and incidental expenses of trainers.

The training manuals must be user friendly, easy to follow, include a detail list of any and all messages issued by the system, and the appropriate action applicable to each message. In addition to hands on training, the training should include quizzes and final examen to reinforce the staff's learning experience and allow the CEE to determine the efficacy of said training on its personnel.

CEE Recommends the hiring of local, Spanish speaking Instructors to save on travel and living and help the local economy.

6.8.10 Spare Parts, Additional Machines, and Software Updates

6.8.10.1 Hardware, Parts, and Supplies Availability – Mandatory

Proponent shall disclose information about the projected lifespan and production plans of machines, spare parts, and supplies.

The proponent shall maintain a stock of spare parts in Puerto Rico, especially during the timeframe leading up to the and through the Primaries and General Elections. At minimum, the proponent should have on inventory in Puerto Rico during the life of the project, the parts that require replacement the most.

6.8.10.2 Software Updates Notification Protocol – Mandatory

Proponent shall have available and describe their protocol for notifying and distributing critical software or firmware updates. If the machines and applicable software are to be acquired through purchase or financing, we expect that the proponent will be responsible for maintaining the software and firmware updates during the life of the project.

6.8.10.3 Software Updates Notifications – Mandatory at Implementation

Proponent shall notify the CEE anytime a software or firmware update is released.

6.9 Description of Hardware and Software Components – Mandatory

Proponent shall provide a detailed description of the model and version of each component in the proposed solution. As applicable, this description shall include:

- Name and description
- Model
- Software or firmware version/revision

Commercial Off-The-Shelf components shall also be described similarly.

7 TECHNICAL REQUIREMENTS

7.1 Hardware Features of Vote-Counting Machines

7.1.1 Scanner Features

7.1.1.1 Double-Sided Scanner – Mandatory

Machines shall be capable of recognizing marks on both sides of a ballot.

7.1.1.2 Scanning Orientation – Mandatory

Machines shall be capable of accepting ballots regardless of the orientation of the paper.

7.1.1.3 Scanning and Processing Speed – Preferred

Machines shall be capable of scanning and evaluating a ballot and of generating any required interaction or confirmation messages in less than 5 seconds based on an 8.5-by-22 inch ballot.

7.1.1.4 Ballot length - Mandatory

Machines shall be capable of accepting ballots with a minimum ballot length of 22 inches. This minimum size only takes into consideration the following columns: political party, independent candidates and write-ins. However, this minimum size does not take into consideration additional space, for elements needed to accurately capture the ballot, such as, barcode, alignment marks or any other.

7.1.2 Mark Recognition

7.1.2.1 Mark Size – Mandatory

The machine shall be capable of reading any mark of at least two (2) square millimeters inside the voting response field of a ballot configured for such purposes.

7.1.2.2 Voting Response Field – Mandatory

The machine shall be configured to read visible delimited areas, shown with borders on both side of the ballot, where the voter shall make a voting mark.

7.1.2.3 Invisible Voting Response Field – Optional

The machine shall be configured to read invisible delimited areas (borderless), on both sides of the ballot. These borderless areas surround the bordered-voting response field and shall read any mark a voter might make on those areas. Such invisible areas will not appear on the ballot. See **Appendix F** for examples of this requirement.

7.1.2.4 Multiple Voting Response Fields – Optional

It shall be possible to configure unlimited voting response fields to one party, candidate or option. Therefore, the system will end up having ONE bordered voting response field corresponding to ONE party, candidate or option; and MULTIPLE borderless voting response fields corresponding as to ONE party, candidate or option.

7.1.3 External Battery Back Up – Mandatory

Proponent shall provide an external uninterruptible power supply (UPS) capable of continuous operation of the optical scanning machines between 2 and 4 hours. Such devices shall not have (either embedded or externally) a line to ground or neutral to ground connection in order to guarantee best performance on all sites where the OpScan shall be placed. This item shall be considered separate from the rest of the equipment, and as such the agency reserves the right to acquire this component from other proponent(s).

7.1.4 Internal Memory Device – Mandatory

Each machine shall have a fixed, non-removable, solid-state memory device. These memory devices shall not be easily accessible and protected against theft, shock, water and humidity damages.

7.1.5 Transportable Memory Device – Mandatory

Each machine shall have at least one, removable and transportable memory device. These memory devices shall store the machine's configuration, the accumulated voting results the audit and the operational log of the machine. They shall be located in a covered, sealed compartment that prevents unauthorized access. The CEE does not use locked keys to secure devices, instead we use plastic seals. CEE plans on acquiring a minimum of six thousand (6,000) transportable memory devices up to a maximum of fifteen thousand (15,000).

7.1.6 Redundant transportable Memory Device – Preferred

Each machine shall provide for redundant memory devices with the functionalities described on the Transportable Memory Use specification above.

7.1.7 Transportable Memory Installation – Mandatory

Transportable memory devices shall be easily removable without requiring disassembly of the machine and without exposing its internal electronics. It is the understanding of the CEE, that these memory devices (including the redundant if applicable) will be pre-installed in the machine and the compartment will be sealed with one of the provided plastic seals prior to the machine functioning.

7.1.7.1 Transportable Memory Type – Mandatory

The transportable memory device should be non-volatile and should not require internal batteries or external power sources.

7.1.7.2 Detection of Foreign transportable memory devices – Mandatory

The system should include mechanisms to prevent foreign memory devices (i.e., devices not in CEE's inventory) from being used on the machines.

7.1.8 Data Comparison – Preferred

The machines should have functions for comparing internal and external memory devices against the total cast votes.

7.1.9 Interactive Display

7.1.9.1 Display Specifications – Mandatory

Each machine shall provide an interactive display. The proponent shall indicate the display's specifications including, but not limited to without limitation, number of lines, characters per line, message length, and scrolling capabilities. Furthermore, the machine shall be capable of displaying additional special characters such as: "Ññ, Áá, Éé, Íí, Óó, Úú, ¿, ¡, Üü".

7.1.10 Printer

7.1.10.1 Integrated Printer – Mandatory

Each machine shall have an integrated printer located in an access-controlled compartment.

7.1.10.2 Printing Color – Mandatory

All reports shall be printed in black.

7.1.10.3 Printing Technology – Mandatory

Printing technology should be thermal.

7.1.11 Ballot Boxes

7.1.11.1 Ballot Box Design – Mandatory at FAT

The proponent will be responsible for supplying ballot box design during FAT execution with the following specifications:

7.1.11.1.2 Ballot Box Capacity

Minimum ballot storage capacity for each machine shall be 1,500 ballots. This capacity shall be the sum of all the required compartments that a ballot box shall contain.

7.1.11.1.3 Ballot Box Access

Access to the ballot storage area shall be limited by physical security means.

7.1.11.1.4 External Access for Unread Ballot

The ballot boxes should provide a separate access for a separate but internal compartment within the ballot. This will be used to store voted ballots that were not scanned. Access to this compartment should be restricted and controlled by poll workers. Compartment should be able to hold at least 200 ballots.

7.1.11.1.5 Folding or Nesting of Ballot Boxes

It should be possible to store ballot boxes in a folded or nested fashion.

7.1.11.1.6 Ballot Box Material

Ballot boxes should be made of cardboard.

7.1.11.2 Ballot Box Design Drawings and Specifications – Mandatory at FAT

During FAT, the proponent shall provide design drawings of the ballot boxes, in hard and digital formats. Furthermore, the proponent will be responsible for providing assembly and dis-assembly instruction of the ballot boxes as part of the design specifications. The drawings and specifications of the ballot box shall be provided as part of the FAT deliverables.

7.1.11.2 Ballot Box Design Reproduction Rights - Mandatory

Proponent will also grant the CEE the right to reproduce ballot boxes, in accordance to the design and Specifications provided by the proponent.

7.1.11.3 Ballot Box for FAT – Mandatory at FAT

The ballot boxes for the machines to be used during FAT, in accordance to the aforementioned design and specifications, shall be provided by the proponent.

7.1.12 Machine Ballot Box Segregation Mechanism - Preferred

The machine shall be capable of segregating a voted ballot containing write-in votes, blank votes, "protestadas" or any other condition that the CEE may understand. Therefore, in order to meet this requirement, the ballot box design shall consider 3 segregated compartments: 1 for regular scanned voted ballots, 1 for the externally accessible unread voted ballots and 1 for the special conditions described under this requirement. This segregation mechanism shall be part of the machine, not the ballot box. The compartment for the special condition voted ballots, should be able to hold at least 50 ballots.

7.2 Election Management System (EMS)

7.2.1 Election Programing in the EMS – Mandatory

The EMS shall be capable of managing multiple user roles. The EMS shall provide for one administrative function, containing full access to the system. Furthermore, the EMS shall be capable of handling multiple concurrent users, for programming different elections. The aforementioned roles are the minimum required by the CEE. However, this requirement does not limit the EMS from having additional roles that can be later on assigned to users.

7.2.2 Relational Database Management Systems – Mandatory at FAT

The proponent shall identify all relational database management systems (RDBMS) used by the EMS.

7.2.3 Data Import – Mandatory at FAT

The EMS shall be capable of importing all the necessary data for an election in CSV format and fixed-length, to program an election.

7.2.4 Data Export – Mandatory at FAT

The EMS shall be capable of exporting all the necessary data for an election in CSV format and fixed-length, to program an election.

7.2.5 Multiple Elections – Mandatory at FAT

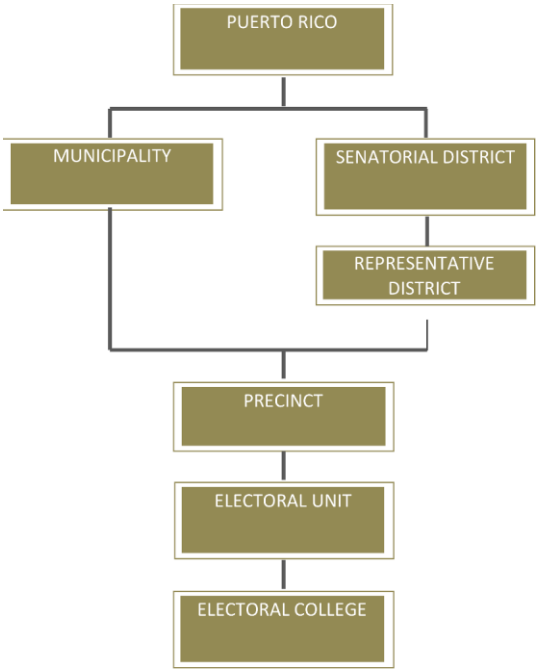
The EMS shall be capable of managing multiple elections simultaneously as required for Primary Elections where all the political parties will have their primary elections on the same day. The minimum required of multiple elections that the EMS shall be capable of handling are six (6).

7.2.6 Adding and Disabling Colleges – Preferred

The EMS should allow new colleges to be added and existing ones to be disabled during and after an election. The minimum required colleges that the EMS program shall allow are ten thousand (10,000).

7.2.7 Jurisdictional Election Levels in the EMS – Mandatory at FAT

The EMS shall be capable of setting up, structuring and managing elections in the following hierarchy:



7.2.8 Ballot Design

7.2.8.1 Ballot Design Specification – Mandatory at FAT

Ballot-design functionality shall comply with the following requirements:

- Ballots shall have columns of a minimum width of 2.75 inches.
- Ballots shall be capable of being configured to include:
    - A minimum of 6 columns for political parties with their insignia
    - A minimum of 1 independent candidate columns
    - 1 write-in column
- Ballots shall be configurable in landscape or portrait mode
- Capability of importing candidate photos or images
- Capability of including full candidate names

- Capability of including large areas of free text such as voting instructions

The EMS shall provide flexibility to allow modifications and corrections to the ballot layout.

Sample ballots are provided in **APPENDIX B**.

7.2.8.2 Ballot Identifiers – Mandatory at FAT

Ballot designs shall be capable of incorporating senatorial district description, representative district numbers, precinct numbers, and municipality names as required according to their corresponding ballot style.

7.2.8.3 Additional Ballot Information – Mandatory at FAT

The EMS should allow for including the following additional information on ballots:

- Candidate names
- Political Parties insignias
- Images associated with voting options.
- Images associated with candidates
- Political Party names
- Voting options descriptions

7.2.9 Printing and Printing Options for Ballots

7.2.9.1 Printer-ready Electronic Ballot Images – Mandatory

The EMS shall be capable of producing printer-ready electronic ballot images.

7.2.9.2 Printer-Ready Electronic Ballot Images – Mandatory

The proponent shall supply complete specifications for the printer-ready electronic ballot images so that the CEE can provide the necessary specifications during the printer certification process.

7.2.9.3 Production of Sample Ballots – Mandatory at FAT

The EMS shall be capable of producing sample ballots. All machines shall reject these sample ballots.

7.2.10 Multi-Precinct Programming – Preferred

The EMS should be able to program some or all machines for the same election to accept and tabulate ballots from multiple and different precincts (currently there are 110 in Puerto Rico). This means that the same machine can tabulate ballots from different colleges at the same time. If the EMS cannot program or the machine cannot be programmed for multiple or different precincts, the proponent shall specify the maximum number of precincts that can be programmed. This number shall also be specified in the quotation spreadsheet, as it will be used for calculating the amount of multi-precinct machines to be acquired.

7.2.11 Data Transmission Integrity – Mandatory

The system shall detect, report, and disregard any data communication entering the system from an unregistered machine. It shall also be capable of identifying any login attempts from colleges that have already sent their results and that are trying to transmit results again. Finally, it shall display clear feedback messages to the poll worker once the data transmission is successfully completed.

7.2.12 Audit Trail Features – Mandatory

The EMS and the machines shall provide an audit trail that will log all actions in sufficient detail for tracing of data changes.

7.3 System Architecture

7.3.1 Architecture Overview - Mandatory

The proponent shall provide the required system architecture:

- EMS Server application
- EMS Client application
- EMS database
- Machine Client application
- Server Redundancy

Redundancy shall avoid any single point of failure on active devices.

7.3.2 Disaster Recovery – Mandatory at FAT

The proponent shall provide a detailed database backup plan and a complete disaster recovery plan for data.

During the implementation phase, the plans will be fully tested prior to systems certification and acceptance.

7.3.3 Data Redundancy– Mandatory at Implementation

The EMS shall have data redundancy features. The Proponent shall provide the necessary equipment and software for implementing hardware and data redundancy. The redundancy shall exactly mirror that of production. The communications infrastructure will be provided by the CEE. Such redundant site will be located at the CEE's operational site, which has a different physical location than the main server's. Please note that the redundant site will be a "Hot Backup Site". During the implementation phase, the hot site will be fully tested prior to systems certification and acceptance.

7.3.4 Data Backup – Mandatory at Implementation

The proponent shall provide all backup software, hardware procedures for performing full system backups. This mechanism should maintain an automated audit log and inventory of all devices and system components.

Data backup will be administered by the CEE with the utilization of the current Software in place. The

proponent shall ensure that the solution provided to the CEE allows for Data Backup through typical commercial-off-the-shelf products, such as SYMANTEC BACKUP EXEC.

7.3.5 Data Recovery – Mandatory at Implementation

The proponent shall provide all recovery software, hardware procedures for performing full system disaster recoveries. This mechanism should maintain an automated audit log and inventory of all devices and system components.

Data recovery will be performed by the CEE with the utilization of the current Software in place. The proponent shall ensure that the solution provided to the CEE allows for Data Recovery through typical commercial-off-the-shelf products.

7.4 Backup Data Transmission Devices

7.4.1 Backup Transmission Device – Mandatory

In addition to the individual results transmission capabilities of the machines, the proposed machines must have the capability of being used as a backup transmission device to be located at all Local Commission Offices. These systems will be only used if the data transmission capabilities of the polling places are compromised. The backup transmission device shall be capable of transmitting data from multiple colleges as received after the election period.

As an option, the machines shall be an accepted method of backup transmission if technically feasible. The proponent that intends to use a backup data transmission device shall ensure that the devices do not compromise the data integrity and shall comply with all the security standards provided by the machines.

8 OPERATIONAL REQUIREMENTS

8.1 Loading of voting data

8.1.1 Single college transportable memory device – Mandatory

Each transportable memory device shall contain voting data for one college.

8.1.2 Multiple college transportable memory device – Preferred

Each transportable memory device shall contain voting data for all colleges.

Compliance with this preferred requirement automatically means compliance against the single college transportable memory device requirement.

8.1.3 Writing of voting data on multiple memory devices – Mandatory

To ensure speed and optimal performance, the writing of the loaded voting data on a memory device shall be done in batch processing. Such processing shall be done either through a multiple memory device writer (burner) or via network.

Compliance of this requirement is met by specifying the methodology utilized for batch processing of voting data writing. Costs associated to complying against this requirement shall be specified in the financial section. If a multiple memory card writer is to be proposed, costs associated shall be specified in the attached financial spreadsheet. If network batch processing shall be proposed, such costs shall be considered as part of the EMS price.

8.2 Opening, Field Reset, and Closing of Elections

8.2.1 Poll Opening– Mandatory

The machine shall be capable of providing for an opening process that allows the machine to start accepting ballots. The execution of this procedure shall be restricted to avoid unauthorized execution.

8.2.2 Poll Closing– Mandatory

The machine shall be capable of providing for a closing process that will prevent the machine from accepting ballots. Additionally, each machine shall be able to provide for a disabling mechanism. This disabling mechanism will prevent the machine from accepting ballots. The system shall not be allowed to open a machine once it has been closed at the polling place.

8.2.3 Restricted polling opening and closing – Preferred

The system shall not be allowed to open a machine prior to a specific date and time. Moreover, the system shall not be allowed to close a machine prior to a specific date and time.

8.3 Voter Interaction

8.3.1 Detection of ballots with Under Voted and Over Voted Votes as well as "Protestadas" and Blank Ballots – Mandatory

The machines shall have the capability to recognize a ballot that contain an under voted or over voted as well as ballots that are "protestadas" or blank. The machine shall display a message in to the voter warning about the condition. The voter shall then be able to correct the ballot and resubmit it or indicate that the ballot is to be cast as is.

8.3.2 Customized Interaction Messages– Mandatory

The system shall have the capability to configure different messages for over votes, under votes, "protestadas", and blank ballots. These messages shall be fully configurable and shall be displayed.

8.3.3 Display of Messages – Mandatory

The machine shall have the capability to automatically display messages as an under vote, over vote, "protestadas" and blank, prior to the voter's interaction to confirm or correct the ballot.

8.3.4 Messages to be displayed – Mandatory at Implementation

The messages to be displayed shall be fully customizable. Examples of messages are shown on **Appendix G** .

8.3.5 Ballot Rejection – Preferred

In addition to displaying an interactive message, the machine shall have the capability to automatically eject ballots as an under vote, over vote, "protestadas" and blank prior to the voter's interaction to confirm or correct the ballot.

8.3.6 Messages Printout – Preferred

In addition to displaying an interactive message and automatically ejecting the ballot, the system shall be capable of printing all messages, giving the voter a print out of the conditions that should be corrected or confirmed on the ballot. The printed message should be generated on a cut printout.

8.3.7 Interaction Disable – Preferred

System shall have the capability of enabling or disabling any of the aforementioned voter interaction that is: display of messages, ballot ejection and messages printout.

8.3.8 Vote Accepted Message – Mandatory

The machine shall have the capability of displaying a message to confirm that a vote has been accepted and that the equipment is ready to accept another ballot. A different background color for this display would make it easily recognizable.

8.4 Processing of Ballots

8.4.1 Ballot Acceptance – Mandatory at FAT

The machine shall be configured to accept all the ballots defined for the elections regardless the sequence of introduction.

8.4.2 Ballot Ejection – Mandatory

The system shall have the capability of not accepting and immediately ejecting ballots based on the following conditions:

- Mutilated ballots
- Incorrectly configured or not configured ballots
- Any other foreign ballot.
- Counterfeit ballot

8.4.3 Application of Precinct Canvassing Rules – Mandatory at FAT

The machine shall be capable of canvassing the votes according to the precinct canvassing rules.

8.4.4 Standard Ballot Processing – Mandatory

The system must be capable of processing multiple and different ballots at the same election. These various ballots will have different paper colors and they might have different sizes. The system must be capable of processing up to eight (8) different ballots from the same election. Furthermore, the machine shall be capable of handling multiple elections on the same day. For such scenarios there will be more than the 8-ballot that were previously mentioned.

8.4.5 Multiple-Precinct Ballot Processing – Preferred

For special situations like the election on correctional institutions and absentee vote, where inmates from all the 110 precincts will be required to vote using the same machine, it will be required to have a precinct counting voting system with the capacity of processing ballots for any of the voting precincts. This requirement is not met with the utilization of a central counting voting system.

8.4.6 Visible Ballot Counter – Preferred

The machine shall provide a ballot counter that displays the total number of accepted ballots. This ballot counter shall be available at the display shown when the machine is ready to accept ballots in order to be seen by poll workers.

8.5 Alarms and Notifications

8.5.1 Malfunction Notification – Mandatory

The machines shall have a self-diagnosis feature that in the event of a hardware or software malfunction it will display an error message and will stop accepting ballots. The capability of acknowledging any such diagnostic notification shall be access-controlled in order to avoid access by unauthorized persons.

8.5.2 Ballot Ejection Alarm or Notification – Mandatory

In the event of a ballot ejection, the machine shall set-off an alarm or notification.

8.5.3 Ballot Ejection Alarm and Notification – Preferred

In the event of a ballot ejection, the machine shall set-off an alarm and notification. Compliance with this preferred requirement will automatically mean compliance against the ballot ejection alarm or notification requirement.

8.5.4 Successful Transmission Alarm or Notification – Mandatory

The machine shall generate an alarm or a notification message on a data transmission that succeeded transmitting or communicating with the Central Processing Center.

8.5.5 Transmission Failure Alarm or Notification - Mandatory

The machine shall generate an alarm or a notification message on a data transmission that fails transmitting or communicating with the Central Processing Center. A detailed transmission failure message shall be available to help the operator or the service technician to figure out the failure cause.

8.6 Reports

8.6.1 Zero and End Report – Mandatory

Each machine shall be capable of generating and printing a zero report to show that there is no vote accumulation for any of the contests and elections. Moreover, the machine shall be capable of generating an End report that details the total voting results of the votes cast. Finally, the machine shall be capable of generating multiples copies of both reports.

The printing of the reports shall be controlled in order to avoid unauthorized printing. Each time a report is requested the report shall be printed.

8.6.2 Zero and End Report Format – Mandatory at FAT

Each machine shall be capable of generating the required report layout as provided in **Appendix H**.

Even when the required report layout is presented as show on **Appendix H**, it is important to note that the report length to be printed from the machine will vary in length depending upon the quantity of contests chosen for that election.

When machines have multiple precincts programmed, the reports shall follow ascending order based on precinct number. Each of the aforementioned reports shall be individually printed.

8.6.3 Multi-Precinct Zero and End Reports – Preferred

A machine configured to accept ballots from multiple precincts must be capable of printing separates zero report for each precinct.

For the end report a machine configured to accept ballots for multiple precincts will allow the user to select which precinct to print.

8.6.4 End Report Printing Restrictions – Mandatory at FAT

The End Report shall only be available after the machine has been closed to accept any more votes. It shall be possible to print these reports multiple times.

8.6.5 Restricted End Report Printing – Preferred

The machine should have the necessary controls to delay the End Report printing by the poll workers. Reports shall not print prior to a specific day and time and report shall not print if the voting process mode is not finished at the machine.

8.7 Transmission of Results

8.7.1 Transmission from the Polling Place – Mandatory

The machine shall have the capacity of directly transmitting results from the Polling Place to the Central Processing Center.

8.7.2 Wireless Transmission from the College – Preferred

The machine shall have the capacity of transmitting the results from the Polling Place to the Central Processing Center without requiring a wired line. Proponent shall specify all the communication means available and detail the cost impact in the machines for different communication means. The cost for the wireless transmission components shall be included as part of the main proposal cost.

8.7.3 Wired Backup Data Device Transmission – Mandatory

The backup transmission devices that will be located at the Local Commission Office shall be capable of transmitting data by connecting to the CEE's local wide area network.

8.7.4 Data Transmission Integrity – Mandatory

The system shall provide the required data transmission encryption and authentication in order to assure that all data regarding all the polling places is received. This should be done in order to protect against eavesdropping and data manipulation including modification, insertion and deletion. The proponent shall describe the type of encryption utilized.

8.7.5 Rejection of Duplicate Voting Data – Mandatory

The system shall be capable of preventing duplicate data transmission.

8.8 Additional Data Collection

8.8.1 General Conditions for Data Collection - Mandatory

The proponent shall provide a machine capable of non-sequentially storing information captured, such that a vote cast by a constituent cannot be associated to him/her.

8.8.2 Ballot Image Capture - Preferred

The machine should collect, store and export a legible image of each one of the accepted ballots and store them on the machine memory. These files should be stored on the machine memory but it should not be transmitted with the election results from the polling places. No time stamp or file name association with the voting order shall be available on these ballot images files.

8.8.3 Ballot interpretation – Preferred

The machine should be capable of storing and exporting that interpretation given to an accepted ballot. Such interpretation from the machine should correspond to captured image ballot. These files should be stored in the machine memory but it should not be transmitted with the election results from the polling places. No time stamp or file name association with the voting order shall be available on these ballot images files.

8.8.4 Optical Recognition Percentage – Preferred

The machine shall be capable of storing and exporting the fill percent, of a voting response field, used to interpret by the machine as a vote. Such fill percent should correspond to captured image ballot.

8.8.5 Event Log – Mandatory

The system shall generate an event log where the time stamp for all the operation of the machine shall be logged. As part of the log the opening time, closing time, report generation time stamp and any alarm condition or operational procedure shall be automatically logged. This event log shall be stored on the machine memory but it shall not be transmitted with the election results from the polling places. In addition all data transmission related activity shall be recorded on the event log.

8.8.6 Communication verification – Preferred

The system shall be capable of providing a communication test procedure to be executed before the election date to confirm the communication feature of the machines.

8.9 Transportation and Storage

8.9.1 Transportation Requirements

8.9.1.1 Machine Transportation and Handling – Mandatory at FAT

The system shall provide means to safely and easily handle, transport, and install the voting equipment without requiring any assembly tools by poll workers. An impact-proof briefcase with the capacity of holding a security seal (to be provided by CEE) shall be provided for each machine. The briefcase shall accommodate the machine and any cables or auxiliary parts required for the machine to operate. The briefcase shall provide a fixed handle.

Storage requirements for these briefcases shall be provided including but not limited to environmental storage conditions, briefcase dimensions, and stacking limitations.

8.9.2 Transportable Memory Device Storage Cases – Mandatory at FAT

Proponent shall supply adequate transportable memory device storage cases with the capacity of permanently storing and protecting multiple transportable memory devices. The size and weight of these cases shall be adequate to be handled by one person. Proponent shall indicate the quantity of memory devices that fit within a storage case.

8.9.3 Memory Device Reclosable Static Shielding Bag – Mandatory at FAT

Proponent shall supply a reclosable static shielding bag to protect the memory devices during transportation and while information has been uploaded. These bags shall be made of a 3-mil transparent polyethylene film or foam with a double-track zipper closure and shall protect against electrostatic discharges generated from inside or outside the bag.

8.10 Documentation

8.10.1 User Manuals – Mandatory at Implementation

Proponent shall supply the user's manual for all the hardware, software and firmware provided. These manuals shall be provided on electronic format and the CEE will have the right to print these manuals as per CEE convenience.

The manuals must be written in a clear, simple, user friendly format capable of being understood by the most inexperienced user. Each instruction shall be presented with an example or a sample display such that the user will be able to follow and easily excute the instructions. CEE reserves the right to review the manuals and return them to the proponent for editing and clarification.

8.10.2 Maintenance Procedures and Recommendations – Mandatory at Implementation

Proponent shall provide all the maintenance procedures and maintenance recommendations for all the equipment provided as part of this project. These manuals shall be provided on electronic format and the CEE will have the right to print these manuals as per CEE convenience. The manuals must be written in a clear, simple, user friendly format capable of being understood by the most inexperienced user. Each instruction shall be presented with an example or a sample display such that the user will be able to follow and easily excute the instructions. CEE reserves the right to review the manuals and return them to the proponent for editing and clarification.

A list of spare parts and consumables shall be provided as part of the project documentation. These spare parts shall be warehoused within CEE's facilities.

8.11 Environmental Requirements

8.11.1 Environmental Parameters during Operation – Mandatory

All the field equipment such as, machines, memory devices and the field transmission shall be capable of operating continuously under the following environmental conditions:

Parameter	Limit
Minimum temperature	50 Degrees Fahrenheit
Maximum temperature	115 Degrees Fahrenheit
Maximum relative humidity	100% non-condensing
Maximum elevation	3,500 feet above sea level

All the computer systems related to the EMS shall be capable to operate continuously under the following environmental conditions:

Parameter	Limit
Minimum temperature	50 Degrees Fahrenheit
Maximum temperature	115 Degrees Fahrenheit
Maximum relative humidity	100% non-condensing
Maximum elevation	500 feet above sea level

8.11.2 Environmental Parameters for Storage – Mandatory

Proponent shall provide the storage requirements for all the equipment to be stored.

9 TERMS AND CONDITIONS

Proposals must be prepared and submitted in accordance with all instructions, conditions, and requirements included in this RFP. Do not submit general marketing materials that do not explicitly respond to this RFP.

Moreover, all proposals must comply with the terms and conditions of this section. All of this section is considered Mandatory. Failure to comply with the specified terms and conditions will render the proponent's proposal non-responsive and therefore will be disqualified.

9.1 RFP Guidelines

9.1.1 Clarity and Completeness of Proposals

All information solicited in this RFP must be provided in a clear, accurate, and complete manner. Proposals must be organized to specifically answer each question or request for information in the order stated in the RFP.

Proposal shall strictly follow the order of this RFP; answers shall be included under each section. An electronic copy of the RFP in Microsoft Word will be provided during the Pre Bid Meeting to be used as a base for the proposal answers.

The CEE may, at its sole and absolute discretion, request clarification and/or additional information from any proponent. Failure to comply with any such request will result in disqualification.

9.1.2 Acceptance of Terms

Each proponent, by submitting a signed proposal, acknowledges and agrees to all requirements, terms and conditions of this RFP, including, but not limited to, being subject to the jurisdiction of the courts of Puerto Rico and incorporating all the provisions of the RFP in a contract (as hereinafter defined), if selected.

9.1.3 System Owner's Rights

For either of the quoted alternative: purchase, financing and rental; the proponent shall own the rights to the machine's hardware, software, firmware utilized for operating the system as well as the rights to manufacture, sell and distribute such machine hardware, software and firmware. The proponent's provision of a certification of such right bearer holding shall suffice with such compliance.

9.1.4 Cost of Proposal Preparation

The CEE shall not be responsible or liable for costs incurred by proponent in the preparation of a proposal, submitting supplemental information, attending negotiation or clarification meetings, if any is requested, or any other cost related to the proposal or to the process. These costs will be borne solely by the proponent.

9.1.5 Advance payments

The CEE is not authorized to perform advance payments for the purchase and acquisition of goods and services. Therefore, any request for advance payments will not be taken into consideration for this RFP and requesting such advancement will be considered a matter of disqualification. Furthermore, the CEE

will not consider advance payments for the possible contract agreement between the CEE and the Proponent.

9.1.6 Restriction on Communication Prior to Submission of Proposal

After the release of the RFP and continuing through the due date to submission of proposal, communication will be limited between a person designated by the proponent and a designated individual from the CEE's Procurement Department. All communications shall be in writing to OpScanSystemRFP@cee.gobierno.pr

9.1.7 Amendments

The CEE reserves the right to modify this RFP at any time before its proposal due date (May 1. 2015). RFP amendments will be delivered to all those who express in writing their intention to bid on this RFP, as specified below. Any change notification will be sent by email to the proponents official email account as stated on the Pre Bid Meeting.

9.1.8 Return Instructions, Mailing Address, and Deadline for Receipt of Proposals

Each proponent must submit separate Technical and Financial proposals. Proponents must submit one (1) printed and signed original proposal document and two (2) printed copies for each of the respective Technical Proposal and the Financial Proposal. Each set must be sealed separately with a cover sheet on the envelope (or package) or box using the format included in **Appendix I** which identifies the Technical and Financial proposal. Each of the documents submitted, must be accompanied by two electronic (PDF) copies in either a compact-disc (CD) or flash-drive. All documents should be delivered in a sealed package, in person or by mail at the following addresses, as applicable:

Physical Address	**Mailing Address**
Comisión Estatal de Elecciones	Comisión Estatal de Elecciones
Attention: Junta de Subastas	Attention: Junta de Subastas
Avenida Arterial B 550	PO BOX 19552
Hato Rey, San Juan, Puerto Rico 00918	San Juan, PR 00919-5552

Proposals shall be received no later than 1:00pm on Friday, May 1, 2015. Furthermore, they may not be delivered orally, by facsimile, or by any other telecommunications or electronic means. Proposals may be delivered on any weekday (other than a legal holiday) between the hours of 8:30 a.m. and 4:00 p.m., provided that the Proposal must be delivered no later than the Proposal Due Date and time. The CEE's clock in the room designated for submission of Proposals shall determine the time of delivery.

Any Proposal that is delivered after the aforementioned time shall be considered late, rejected and returned unopened to the Proposer. The CEE assumes no responsibility for delivery made or attempted outside of the times specified above, late delivery or the method of delivery chosen by the Proposer.

9.1.9 Confidentiality Requirements

In performing the services described in this RFP, the successful proponent will have access to data, documents, and other information that is considered to be Confidential. The CEE will require that the successful proponent, its business affiliates, business partners, and sub-contractors will make their best efforts to ensure the privacy and confidentiality of confidential information.

To support this requirement, the CEE will require that all staff members working either directly or indirectly for the successful proponent will sign a Non-Disclosure Agreement.

If a staff member working either directly or indirectly for the successful proponent compromises the confidentiality of any information obtained as part of this project, the CEE may, at its sole discretion, direct the successful proponent to immediately remove the staff member in question from the project.

9.2 Proposal Requirements and Format

9.2.1 Submission Requirements

All proposals must meet the requirements stated in this RFP. Proposals should be printed on 8 ½ "x 11" paper. Exhibits, including visuals, may be presented and may be submitted in printed format as an Addendum.

Please note that each Proponent must submit separate Technical and Cost Proposals. Each proposal must include

- one (1) original,
- two (2) copies and
- two (2) electronic (PDF) copies in either a compact-disc (CD) or flash-drive are required.

Each set must be sealed separately and identified using the format presented in Appendix L.

9.2.2 Proposal Components and Submission Requirements

Proposals must be received by the date and time stated on this RFP. In addition to the requirements set forth in this RFP, all proposals shall be organized in the following order:

Administrative Component: Please refer to Sections 9 11 and 13

Technical Component: Please refer to Sections 6, 7 and 8

Financial Component: Please refer to Section 10 and 12

Proponents have the responsibility to notify the CEE of any change of representative, address, telephone or fax number, or any other change to the proponent's organization or legal status that occurs at any time after the submission of this RFP.

9.2.3 Cover Letter

The Cover Letter and each of the pages must be signed and initialed by the representative of the proponent who is authorized to bind the proponent. The signatures must be in blue ink. Stamped signatures or seals will not be accepted. The Cover Letter must contain:

1. The proponent's
    a. Company's full legal name
    b. taxpayer or employer identification number
    c. the North American Industry Classification System number (NAICS), if available
    d. physical addresses
    e. postal address
    f. telephone numbers
    g. fax numbers
2. The authorized representative's
    a. full name
    b. email address
    c. telephone numbers
    d. fax numbers
3. The contact person's (if different from the authorized representative)
    a. full name
    b. email address
    c. telephone numbers
    d. fax numbers
4. A statement indicating that the prime proponent will be the prime contractor for all activities and that all other participant shall be designated as subcontractors.
5. Identification of all proposed subcontractors and a brief description of their roles. All subcontractors will be subject to approval by the CEE. Prior to contract execution, the successful proponent will be required to furnish the corporate or company name and the name of the officers and principals of all subcontractors. Notwithstanding any such approval by the CEE, the successful proponent shall itself be solely responsible for the performance of all work set forth in any contract resulting from this RFP, and for compliance with costs and other terms provided in the contract. The successful proponent shall cause the appropriate provisions of its proposal and the contract, to be inserted in all subcontracts.
6. Acknowledgement of receipt of this RFP and, if applicable, all amendments to this RFP.
7. Certification that the information provided in the proposal has been reviewed for accuracy and completeness.
8. Stipulation that the proposal will remain valid for four (4) years from the RFP due date.
9. A statement that the prime proponent and all its subcontractors have no conflict of interest that could influence the performance on the model contract or the cost of services provided and will not employ, in the performance of the contract, any person having such conflict.
10. A statement that the person signing the proposal is duly authorized to bind the prime proponent to the pricing, resources, and services described in the proposal.

The Cover Letter must be no more than one page, and must be signed by the authorized contact representative. The Cover Letter must reference this RFP and confirm that all elements of the RFP have been read and understood and that the Proponent takes no exception to the materials provided. Failure to include this information in the Cover Letter could result in deeming the proposal non-responsive.

9.2.4 The Executive Summary

The Executive Summary shall present an overview of the proposal detailing scope, components, technical solutions, project management approach, and success factors. It shall be clear, concise, and precise and no more than 5 pages in length.

9.2.5 Key Personnel

Indicate key personnel who will be assigned to this Project and give a brief description of the experience of each, (including language skills) and their specific roles in the Project. Key personnel are defined as those to whom the Project will be assigned and who will be performing the actual service. Also indicate the location of the office where work is to be performed and specifically whether certain personnel will be used on an "as needed basis". If you propose to sub-contract part of the scope of work, please describe the role of the sub-contractor.

If more than one firm is responding to this RFP, as a team, state the type of arrangement between the firms, the names and addresses of all firms, description of the work that each firm will perform, and the percentage of work to be performed by each. Indicate office locations at which the work will be performed.

9.2.6 Experience

Proposers are required to demonstrate that they possess technical capability to successfully complete the Contract. The Proposer must show effective and substantive (relative to key objectives) experience of the Proposer in the provision of similar services under consideration.

9.2.7 Subcontractors

The proponent, as prime contractor, will be required to assume responsibility for all contractual activities offered in their proposal whether or not the prime contractor performs them. The prime contractor is totally and solely responsible for adherence by any subcontractor to all provisions of the RFP and possible contract.

9.3 Proponent Qualification Terms

9.3.1 Registration Requirement

Proponents must be registered in the Bidders Registry "Registro Único de Licitadores" (RUL) of the Puerto Rico General Services Administration GSA to do business in Puerto Rico and pay the corresponding annual fees due upon solicitation of this RFP. Details about this may be found at this Internet address: http://www.asg.gobierno.pr/

9.3.2 Bid Bond

Proponents must post a bid bond in favor of the CEE in original at the same time and together with the Proposal. The bid bond shall be for an amount equal to 25% of the proponent's total bid amount. The bid bond shall be issued by an insurance company registered and duly authorized to do insurance business in Puerto Rico by the Office of the Insurance Commissioner of Puerto Rico, or may be presented as a Manager's Check or Money Order. The bid bond will constitute a provisional security submitted by the Proponent to assure the CEE that the Proposal will be maintained until the adjudication of the proposal. The Bid Bond will be returned to all Proponents after adjudication of the proposal.

The original Bid Bond certificate (not a copy) must be signed by a duly authorized representative of the proponent's company and included in the original version of the proposal. Failure to do so will result in the proponent's disqualification and the proposal will be returned unopened to said proponent.

9.3.3 Disclosure Statement

The Disclosure Statement shall contain the following information:

9.3.3.1 Proponent Business Relationships

The full name and business address of any legal entity in which the proponent holds a debt or equity interest of at least five percent (5%) or which is a parent company or subsidiary of the proponent, and a description of the ongoing organizational relationships as they may impact operations within the state.

9.3.4 Current Engagements

If any proponents involved with this submission is currently engaged or performing any type of work with or for the CEE or any other Puerto Rico public corporation or governmental entity, indicate the projects, the division managing the projects, the amount of outstanding fees remaining, and the estimated date of completion. For limited services contracts, please include only the amount of all tasks orders executed or under negotiation. Also, include your estimated fees for pending supplemental agreements and any projects for which your firm/team has been selected, but has not executed an agreement. Work of affiliated and/or subsidiary companies must be included. Work being performed as a consultant to the government or as a consultant to a joint venture partner with a private entity in any such project must also be included.

9.3.5 Additional required documents

- Current or Pending Legal Actions. A listing and explanation of any civil or criminal legal actions by government agencies involving Federal, state, or local laws or regulations against the proponent and/or affiliated persons in the ten (10) years immediately preceding the filing of the proposal, including but not limited to administrative enforcement actions resulting in the imposition of sanctions, permit or license revocations or denials issued by any state or federal authority, actions that have resulted in a finding or a settlement of a violation, and actions that are pending; and include:
- Sworn statement of No Investigation (criminal or civil anti-trust), Indictment, Conviction, Debarment, Suspension, Disqualification and Disclosure of Other Information, using the form provided in **Appendix J.**
- Certification of No Conviction for Corrupt Practices, using the form provided in **Appendix J.**
- Sworn Statement of Non-Collusive Bidding, and Code of Ethics Certification, Certification of No Solicitation Based on Commission, Percentage, Brokerage, Contingent or Other Fees, using the form provided in **Appendix J.**
- No Lobbying, No Collusion, No Prohibited Acts. The proponent shall complete the No Lobbying, No Collusion, No Prohibited Acts form provided in **Appendix J**.
- Original certifications evidencing that the Proponent has complied with its responsibility in the payment of its taxes to the U.S. Federal Government and/or to the Authority where its base of operations resides.
- All Certifications and Affidavits must not be older than thirty (30) days from the date Proposal due Date.
- Failure to include these certifications could result in deeming the proposal non-responsive.

9.4 **Schedule of Events**

The schedule of events set out herein represents CEE's best estimate of the schedule that will be followed. If a component of this schedule is delayed by the CEE, then the rest of the schedule shall be shifted by the same number of days.

Event	Date or Period
Publication of this RFP	Monday, March 30, 2015
Proponents notify intention to bid	From Monday, March 30, 2015 to Friday, April 10, 2015
Mandatory pre-bid meeting	Friday, April 10, 2015
Question and answer period	From Monday, April 13, 2015 to Friday, April 17, 2015
Proposals due date	Friday, May 1, 2015
Public opening of proposals	Friday, May 1, 2015
Bid Board and JAT pre-evaluates proposals	From Monday May 4, 2015 to Wednesday, May 6, 2015
Bid Board and JAT sends notification and presentation requirements to qualified proponents	Thursday, May 7, 2015
Qualified proponents present their solutions in person	From Monday May 18, 2015 to Friday, May 22, 2015
JAT evaluates proposals	From Tuesday, May 26, 2015 to Friday, June 26, 2015
Financial Capability Evaluation	From Tuesday, May 26, 2015 to Friday, June 26, 2015
Bid Board Evaluation	From Tuesday, May 26, 2015 to Tuesday, June 30, 2015
Selection and notification of award	Wednesday, July 1, 2015
Submittal of Performance Bond	Monday, July 13, 2015
Contract signature	Friday, July 31, 2015

9.4.1 **Publication of this RFP**

This RFP is published and available to interested parties and can downloaded from the CEE website at www.ceepur.org. In addition to be available online any interested party can pick up this RFP directly at the CEE's Procurement Department.

9.4.2 Proponents Notify CEE of their Intention to Bid

Proponents that after reviewing the RFP are interested in bidding are required to send a formal notification to CEE informing their intention to bid using the form provided in **Appendix K**. This notification shall be sent by electronic mail to the following address: OpScanSystemRFP@cee.gobierno.pr no later than the day of the Mandatory Pre Bid Meeting. Proponents are responsible to confirm the successful transmission and receipt of their electronic message by CEE.

9.4.3 Mandatory Pre-Bid Meeting

All the proponents are required to attend to a mandatory pre-bid meeting at CEE facilities. Meeting will take place on Monday, April 6, 2015 at 10:00 AM EST at CEE main building located at:

Comisión Estatal de Elecciones
Avenida Arterial B 550
Hato Rey, San Juan, Puerto Rico

9.4.4 Questions and Answers Period

During this period, there will be 3 rounds of questions and answers. During each round the CEE will receive questions from all proponents and will respond to questions within 3 working days. The CEE will send submitted questions with the CEE answers to all proponents. No additional questions will be accepted from proponents after this period. All proponents are required to submit all their questions in writing by electronic mail to the following address: OpScanSystemRFP@cee.gobierno.pr.

Proponents will be responsible to confirm the successful transmission of their questions. Only written questions will be accepted.

9.4.5 Proposals Due Date

Proponent will be required to submit their proposals to the Bid Board on Friday, May 1, 2015.

9.4.6 Bid Board Evaluation at Bid opening

The Bid Board will evaluate that each bid complies with an initial set of terms and conditions and proponents not in compliance with these will be disqualified and duly notified by the CEE.

9.4.7 Individual Presentations from Proponents

All proponents with qualified proposals will be required to present their proposals in an individual evaluation session at the CEE, where the requirements will be verified. It is considered a qualified proposal; one that complies with the certifications required under sections 6.2 and 6.3 and provides this evaluation to the Bid Board for the JAT to provide its recommendations.

Proponents will be contacted by the CEE and will be provided with a detailed schedule and standard format for the presentation. Proponents will have a complete day for their presentation to be organized in two sessions, the first session will be a formal presentation about their proposal and the second session will be hands-on session where the proposed equipment will be demonstrated and specific questions regarding the compliance with the RFP requirements will be issued. The order of the presenters will be determined by a draw.

9.5 Minimum Contract Requirements

Proponents should be prepared to incorporate the requirements of this RFP in the terms of the contract and other written representations submitted with the proposal. Failure to incorporate these provisions could result in the cancellation of the selection and award. Other provisions will be included as part of the contract. Acceptance of the terms and conditions outlined in this section shall be a condition precedent to the award of the contract.

9.5.1 Assignment

The successful proponent's obligation under the contract shall not be assigned or transferred to any other person, firm, or corporation without the prior written consent of the CEE.

9.5.2 Contract Signature

The CEE and the selected Proponent shall sign the contract no later than 70 calendar days after awarding.

9.5.3 Penalties for Breach of Contract

The CEE shall have the right to execute the Performance Bond if proponent breaches or fails to perform under the contract and such breach or failure to perform is not remedied by the proponent within the time period set forth in a formal notice of breach by the CEE. The CEE shall rescind the Contract for breach of any of the terms and conditions of the contract. In addition, the CEE shall have the right to pursue any and all additional remedies that the CEE may have in law or in equity against Proponent.

9.6 Performance Bond

The selected proponent shall post a performance bond acceptable to the CEE in favor of the CEE in original of 100% of the total amount of the proposal. The performance bond shall be issued within ten (10) calendar days from awarding of the bid. The performance bond shall be issued by an insurance company registered and duly authorized to do insurance business in Puerto Rico by the Office of the Insurance Commissioner of Puerto Rico, or may be presented as a Manager's Check or Money Order. The performance bond will constitute a provisional security submitted by the Proponent to assure the CEE that the proposed system will be implemented in accordance to the requirements, terms, conditions and contractual obligations accepted by the proponent. The performance bond will be returned to the proponent once the CEE certifies that the proponent complied with all the aforementioned stipulations and satisfactorily completed the project on or before January 31, 2017.

9.7 General Delivery Schedule

A project schedule was developed for the utilization of an OpScan Voting Systems during the Primary and General Elections of 2016. By submitting a proposal, the proponent accepts adherence to the detailed schedule shown on **Appendix I**.

9.8 Other Terms, Conditions, and Disclaimers

The furnishing of the information contained in the proposals shall not create or be deemed to create any obligation or liability on the part of the CEE or any of the officers, employees, agents, advisors or representatives, for any reason whatsoever, and each proponent, by submitting a proposal, expressly

agrees that it has not relied upon the foregoing information, and that is must not hold the CEE, or any of the officers, employees, agents, advisors or representatives liable or responsible therefore in any manner whatsoever.

The proposals are not, and do not contain a commitment to select a proposal, purchase or to enter into any contract or other agreement with the CEE.

Neither the expression of any person's interest, nor the submission of a proposal, nor the acceptance thereof by the CEE, nor any correspondence, discussion, meetings or other communications between the proponent and the CEE must impose any obligation on the CEE to include such person in any such further procedures which the CEE may use prior to the final selection of a proponent, must be deemed to impose any obligation whatsoever on the CEE to select the Proponent, to discuss any Proposal which the proponent may submit, or to enter into negotiations with the Proponent, or must entitle the proponent to any compensation or reimbursement for any costs or expenses incurred by the Proponent in connection with the expression of the Proponents interest and the submission of the Proponents proposal. Neither the CEE nor the Commonwealth of Puerto Rico shall reimburse costs of responding to this RFP or for attending any subsequent interviews, site visits, or meetings in connection with this project.

Neither the furnishing of the RFP to the proponent, nor the submission of any materials, documents, or other information by the Proponent, nor the acceptance thereof by the CEE, nor any correspondence, discussions, meetings, or other communications between the Proponent and the CEE, nor anything stated by the CEE in or at any such correspondence, discussions, meetings, or other communications must be construed or interpreted by the Proponent to mean that the CEE has made a determination that the proponent will be selected as the Contractor nor be deemed to impose any obligations whatsoever on the CEE or the Commonwealth of Puerto Rico to compensate or reimburse the proponent for any costs or expenses incurred in connection with its Proposal.

The CEE may consult references believed by it to be familiar with the proponent regarding the proponents prior operations, development or management of projects, financial condition, past performance, experience, and qualifications, or other matters, whether or not the persons consulted are identified in the proposal. Submission of a proposal in response to this RFP must constitute permission for the CEE to make such inquiries and authorization to third parties to respond thereto.

Neither the CEE nor any officer, agent, representative, advisor, or employee thereof must be charged personally by the proponent with any liability or held liable to it under any term or provision of any of the Documents or any statements made therein.

The CEE reserves the right, at its sole and absolute discretion, to disqualify any proponent or any firm or individual from any phase or component of the selection process, due to felonious or other criminal record in any jurisdiction (domestic or foreign). Neither proponent nor any of its respective partners, shareholders, officers, directors, employees, agents, or affiliates must have any right to consent to, be notified of, or respond to, any investigation conducted by, or on behalf of, the CEE in connection with any and all information with respect to the proponent, or its proposal. Unless specifically requested by the CEE, no supplemental information provided by any proponent will be considered in the evaluation. Proposals, including supplemental information, will become the property of the CEE and there must be no obligation to return any information to the proponent.

9.9 **Debt Certificates**

Administrative Bulletin Number OE-1991-24, as amended by Administrative Bulletin Number OE-1992- 52, and Treasury's Circular Letter Number 1300-25-14 provides that any legal or natural person Contracting with an agency of the Commonwealth of Puerto Rico must submit certain documentation certifying that the legal or natural person does not owe taxes to the Commonwealth of Puerto Rico and that it has met its obligations to file Puerto Rico income tax returns, if applicable. Successful Proponent should be able to submit the following certificates:

TREASURY DEPARTMENT OF THE COMMONWEALTH OF PUERTO RICO

a. Certification from the Treasury Department of the Commonwealth of Puerto Rico ("Treasury") certifying that the proponent has filed Income Tax Returns in Puerto Rico, on each of the previous five (5) years, or since the date of incorporation, if sooner.
b. Certification from the Treasury certifying that the proponent has filed the Sales and Use Tax Return in Puerto Rico.
c. Negative certification from Treasury as to the existence of debt, including Income Taxes, Sales and Use Tax, etc.
d. Copy of the Merchant Registry Certificate (Certificado de Registro de Comerciantes)

MUNICIPAL REVENUE COLLECTION CENTER OF PUERTO RICO (CRIM)

a. Certificate from the Municipal Revenue Collection Center of Puerto Rico (CRIM) evidencing that the proponent has filed Property Tax Returns in Puerto Rico, on each of the previous five (5) years.
b. Certificate from CRIM evidencing that the proponent does not owe any amounts with regards to real and personal property taxes (CERTIFICADO DE DEUDA POR TODOS LOS CONCEPTOS).

DEPARTMENT OF LABOR AND HUMAN RESOURCES OF THE COMMONWEALTH OF PUERTO RICO

a. Certificate from the Department of Labor and Human Resources of the Commonwealth of Puerto Rico certifying that the proponent is register as an Employer, and does not owe any amounts with regards to unemployment insurance, temporary disability.
b. Certificate from the Department of Labor and Human Resources of the Commonwealth of Puerto Rico certifying that the proponent is register as an Employer, and does not owe any amounts with regards to drivers' social security.

STATE DEPARTMENT OF THE COMMONWEALTH OF PUERTO RICO

a. Certificate of Good Standing issued by the Puerto Rico State Department.
b. Certificate of Existence or Certificate of Authorization To Do Business in Puerto Rico.

ADMINISTRATION FOR THE PENSION OF MINOR (ASUME)

a. The proponent certifies and assures that it is in compliance with its duties as employer, according to Public Law No. 5 of December 30, 1986, as amended, known as the "Organic Law for the Administration for the Pension of Minors" (ASUME).

Further details about the above certifications can be found on the Treasury's Circular Letter Number 1300-25-14, dated March 10, 2014. This Circular Letter is available to be examined on http://www.hacienda.gobierno.pr/downloads/pdf/cartas/CC-1300-25-14.pdf.

These certifications must be filed even though the Successful Proponent is not engaged in trade or business in Puerto Rico, in which case they would appears as negative debt certificates.

If the Proponent has a payment plan with respect a tax debt, evidence should be presented that it is up to date.

In the case of a partnership or joint venture, the above certifications should be obtained for each of the partners or joint ventures, as applicable.

9.10 **Governing Law**

This RFP shall be governed and construed in accordance with the laws of the Commonwealth of Puerto Rico, Puerto Rico Electoral Law, Bid Board Regulations and this RFP.

9.11 **Choice of Venue**

9.11.1 **Bid Board No Award Protest**

In the event that the CEE Bid Board determines not to award the Bid, the proponent(s) may protest such decision, following the below mentioned criteria:

- Protests shall be submitted in writing and signed by the interested party, its representative or agent.
- Protests shall be presented 5 business days following a No Award decision made by the Bid Board.
- The Bid Board shall provide a resolution to the protest presented within 5 calendar days, from the day that the protest was presented by a proponent.

9.11.2

After a decision has been made by the Bid Board, the affected proponent shall appeal the decision depending upon the following scenarios:

- If a decision made by the Bid Board is to award the bid, then the appeal process to follow is that mentioned under Sections 7.3A thru 7.6 of the Bid Board Regulation, and Section 9.11.3 of this RFP.

- Such appeal by the proponent shall be done in writing and signed by the interested party, its representative or agent to the President of the CEE. The decision made by the President of the CEE will be made final within 10 calendar days after its notification date. Within these 10 days, the affected party shall request a reconsideration to be made by the President. The decision made by the President after reconsideration will be final.

9.11.3 Bid Board Award Protest

Per Sections 7.3A thru 7.6 of the Bid Board Regulation the proponents may protest the decision of the Bid Board, in writing and signed by the interested party, its representative or agent, when it is understood that one of the procedures established on the Bid Regulation has not been followed.

Any proponent who believes there is reasonable cause and is not in agreement with any award may, within 5 business days of such an award, submit a request for review in accordance with applicable terms of the Agency's Bid Board Regulations.

In addition to the process described in sections 9.5 through 9.10 of this RFP, proponents who request a review of the award by the Bid Board must post a guarantee for twenty percent (20%) of the total proposal price of the selected proponent, excluding ongoing support costs. Once the review process is completed, if it is determined that the claims alleged by the proponent requesting the review are frivolous or without basis, the guarantee posted be the protesting Proponent(s) will be executed in favor of the CEE.

Under any other circumstances except those described herein, once the final decision of the Bid Board is issued, the guarantee posted will be returned to the protesting Proponent(s) irrespective of whether the decision is or is not favorable to said Proponent(s).

9.11.4 Legal Resolution of dispute

Venue for any action, claim, dispute, or listing relating in any way to this process or the resulting contract shall be in the courts of the Commonwealth of Puerto Rico.

10 FINANCIAL CAPACITY

10.1 Financial Capacity Evaluation

The proponent must provide a statement of capacity addressing their capability to perform all required activities as specified in the proposal regardless of current, pending, or future contracts with other customers. This financial information will be used to determine the proponent's financial capability to implement the project. The proponent shall provide any additional information supporting the statement of capacity. Such additional information must include:

- The most recent five (5) Audited Financial Statements of the Proponent entity.
- The most recent financial statements of the proponent's entity (if available).
- Copies of the last five (5) income tax returns.
- Bank references.
- List of Proponent's financing; sources such as loans, equities, securities and others during the preceding five (5) years, including credit references.
- Confirmation from a financial or commercial institution stating specific amount of credit available to Proponent's and the time-period when such credit shall be available.
- Available financing. Please refer to section 12.4 (Equipment financing).
- Claim reports from the insurance company covering the last five (5) years.
- Certificate of professional liability insurance, including coverage, amount, type and date of coverage.
- The Proponent must provide a statement of whether there have been any mergers, acquisitions, or sales of the Proponent's company within the last five (5) years, and if so, provide relevant details. Furthermore, the Proponent shall include a statement and/or information about the Proponent's parent company or organization, affiliates and/or subsidiaries, including but not limited to, related party transactions, such as sales, purchases, capital or operating funding (financing), equities and securities; leases of any kind and other transactions.
- The Proponent must provide an organizational chart showing the corporate structure and lines of responsibility and authority in the administration of the Proponent business that shows at least the top three organizational levels (e.g. CEO, CFO, Director of Accounting/Finance for the accounting/finance division or department).
- The Proponent shall also include a statement of whether, in the last five (5) years, the Proponent, a predecessor company, the Proponent's parent organization, affiliates, and/or subsidiaries has filed (or had filed against it) any bankruptcy or insolvency proceeding, whether voluntary or involuntary, or undergone the appointment of a receiver, trustee, or assignee for the benefit of creditors. If so, provide an explanation detailing relevant facts, including the date on which the Proponent emerged from bankruptcy or expects to emerge. If still in bankruptcy, provide a summary of an anticipated timeframe for approval of a plan of reorganization. The Proponent should be aware that there are bond/guaranty obligations in the contract.
- A minimum of three (3) major supplier references must be provided.
- A minimum of three (3) major customer references must be provided. References must include:
    a. Client organization name;
    b. Contact name, title, telephone number, email, and project responsibility;

c. Project description
d. The product and services provided;
e. Contract amount
f. Beginning date of contract
g. Duration of contract(s) and current relationship
h. Contract Amount
i. Number of elections the company has participated in
j. Number of voters in each elections
k. Number of ballot machines used

The CEE reserves the right to contact any or all references provided by the proponents. Proponents are invited to provide letters of reference from previous clients.

11 QUOTING GENERAL GUIDELINES

As follows please find the general guidelines of the quotation required for the proposal to be submitted.

Section 11 is considered Mandatory.

11.1 Quoting format

In order to standardize the way quotes are prepared and provided for this RFP, the CEE will make available the same password-protected excel spreadsheet to each proponent. Any modifications or alterations to the excel file will be reason for disqualification. This spreadsheet is enclosed to the RFP as Appendix J.

This excel spreadsheet will guide the proponent through the steps of properly quoting this proposal and for all different alternatives herein considered.

No quotes will be accepted in any other format than the one provided by the CEE.
As the file provided contains formulas, it is imperative that such file is used to its full extent and that no other file is created. As such, the file contains separate, yet interconnected, workbooks for each acquisition alternative. The only cells that need to be filled out are those highlighted in yellow.

The proponent will provide a signed-printed copy of the excel spreadsheet mentioned herein, as part of this proposal.

11.2 Payment Schedule

Payments will be issued based on a monthly basis, depending upon the actual completion of services and delivery of equipment. Such payments shall be made on the month were the particular task is finalized. All payments will receive an automatic 10% retention that will be paid at project completion. The itemized prices quoted will be used as the general reference for the partial invoice evaluation. Invoices are to be submitted to OSIPE, who must approve them prior to any intervention by the Finance Department. The payment schedule will follow the following milestones completion:

Task Name	Invoicing Schedule
Hardware	Upon item delivery
Factory Acceptance Test	Upon task completion
Validation Support	Upon task completion
EMS, DB & OS Installation and Configuration	Upon task completion
Training Services	Upon task completion
Project Management Support	Monthly
Support during Certification of Printing Facilities	Upon task completion
Ballot Box Design and Reproduction Right	Upon item completion
Ballot Box Inspection and Certification Services	Upon task completion
Primary Election Programming in EMS	Upon task completion
General Elections Programming in EMS	Upon task completion

Task Name	Invoicing Schedule
Ballot Styles Configuration for Primaries	Upon task completion
Ballot Styles Configuration for General Election	Upon task completion
Logic and Accuracy Test Support	Upon task completion
Communication Infrastructure Project Support for Primaries	Monthly
Communication Infrastructure Project Support for General Election	Monthly
On Site Support for Mock Election (Primaries)	Upon task completion
On Site Support for Mock Election (General Election)	Upon task completion
On Site Support for Election (Primaries)	Upon task completion
On Site Support for Election (General Election)	Upon task completion
Licenses	After initial payment, invoice schedule is Annual
Maintenance	After initial payment, invoice schedule is Annual

11.3 **Hardware Delivery Instructions**

The hardware delivery schedule for the machines will have to comply with the following requirements:

- Deliveries shall be scheduled in order to have all the machines delivered by the specified due date.
- The CEE's receiving area has a processing capacity of up to 200 machines per day. The shipping container shall be schedule to remain on site for no less than a week for the unloading, tagging and loading of the machines.
- Delivery containers shall not exceed 40 feet in length.

11.4 **Late Delivery Penalties**

Strict adherence to the required project implementation schedule is critical and shall not compromise all the tasks that are required to be done for the successful completion of the project. A late delivery penalty of items includes its partial delivery within schedule and its remains outside of schedule. For purposes of the late charges, 10% of the item cost will be charged at due date. The CEE will charge an additional 10% for every week after due date that an item is not delivered.

11.5 **Data Ownership**

The proponent should designate the CEE as the sole owner of the election data that resides in the system.

11.6 Software and Firmware Licenses

11.6.1 License Cost

Any required software license agreement shall be presented as part of the proposal. The CEE understands that the license required for this project is the following and should be quoted as follows:

- EMS, DB & OS License
- Firmware License per Machine

Proponent shall specify if a software or firmware license is required for the utilization of the system.

Additionally, it is the understanding of the CEE that the EMS will require other platform software, such as operating systems, databases and firmware that will be required to maintain the EMS system operating. Such costs should also be considered as part of the license costs.

11.7 Warranty and Maintenance Support

11.7.1 Applicability of warranty and maintenance support

This section is applicable to the purchase alternative as well as the financing alternative. The warranty and maintenance terms and conditions described herein, shall begin upon receipt of hardware and software.

11.7.2 Hardware Warranty

This section provides for warranties of the following items for a minimum of (3) years, as noted in the Excel spreadsheet. Furthermore, the warranty shall include ALL parts and labor, on site.

- Machine
- Multiple Precinct Machine (MPM)
- Backup Transmission Device
- EMS Hardware with Redundancy

11.7.3 Hardware and Software Maintenance Support

Hardware maintenance support services are preventive and remedial services that physically repair or optimize hardware, including per-incident repair. Hardware support also includes:

- Online and telephone technical troubleshooting and assistance for setup,
- All fee-based hardware warranty upgrades.
- Sales of all parts.

Software maintenance and support services include long-term support. The software maintenance support shall include remote troubleshooting and support provided via phone and online, as well as installation assistance and basic usability assistance. Software maintenance support services shall not include the purchase of subscriptions that provide entitlement and rights to use future releases of software.

11.7.3.1 Hardware Maintenance Support

Hardware maintenance support services shall include the following:

- Routine Maintenance Services. These routine services should include all the necessary work

to be performed in order to keep the machines in optimal working condition. These services shall include diagnostic and calibrations checks, cleaning, lubricating but do not include repair or replacement of any machine components, except those damaged during the normal course of operating the machine, including but not limited to paper rolls, batteries, removable media, storage devices, PCMCIA cards or making devices.

- Repair Services. The repair services shall occur when a defect or malfunction occurs in any machines while it is being operated under normal user or if it occurs as a result of an accident, neglect, abuse, theft, vandalism, fire, flooding, animal infestation and related events.

11.7.3.2 Software Maintenance Support

The proponent shall provide maintenance and support services for the EMS software and firmware to enable the EMS and machines to perform in accordance with its technical requirements. Software maintenance support services shall include new product installation, installation of product updates, migrations for major releases of software and other types of proactive or reactive on-site services. Software products and technologies covered under this category include operating systems and infrastructure software.

11.8 System Acquisition

Proponents are required to provide proposals for the acquisition of all the required hardware, software, and services in compliance with all the specifications of this RFP. It is mandatory by the CEE that the provided hardware is new and never before been utilized. All the prices shall be Freight on Board (FOB) San Juan, Puerto Rico. The CEE shall acquire a minimum of 6,000 machines up to a maximum of 7,500.

11.8.1 Alternatives for equipment acquisitions

Proponents are required to provide proposals for all the following types of acquisitions. No proposal will be accepted if all of three options aren't quoted. Each type has a different set of quotation requirements that are addressed under their individual sections:

- Purchase
- Financing
- Rental

11.8.2 Scope of Supplies

The proposals shall include itemized prices for the items detailed in the sections below. The itemized prices shall be honored in case the CEE requires an increase or decrease in the quantities of the equipment or services required up to December 31, 2016.

The items and quantities specified are provided in the referred spreadsheet to give potential proponents a clear idea of the magnitude of the project and to set a common reference for all the proposals.

11.8.3 Hardware and Software to Quote

- The following hardware and software shall be quoted:
- Machine
- Backup transmission device with case
- Machine Case

- Transportable memory device
- Transportable memory device storage case
- EMS Hardware with Redundancy
- Multiple Memory Device Writer (Burner, if applicable)
- Memory Device Reclosable Static Shielding Bag

11.8.4 Development and Installation Services to Quote

The following services shall be quoted as part of the development for delivering a working electoral machine and typically include those items that are done prior to an election. Such services include the following:

- Factory Acceptance Test
- Validation Support
- EMS, DB & OS Installation and Configuration

Please note that for support and training services, the itemized prices shall be inclusive of travel, living, and any other expenses. Itemized prices shall also be provided on a per diem basis for additional support services that might be required.

11.8.5 Training Services to Quote

The following are services that need to be quoted in order to prepare the CEE for running general elections, primaries, plebiscite, etc. with the provided machines and EMS.

- Operator training for the EMS
- Operator Training for the Machines
- Service and Troubleshooting Training
- Maintenance Training

11.8.6 General Services to Quote

The following are services that need to be quoted as part of each election (i.e. general elections, primaries, plebiscite, etc.).

- Project Management
- Support during Certification of Printing Facilities
- Ballot box design and reproduction rights
- Ballot Box Inspection and Certification Services

11.8.7 Installation, Programming and Configuration Services to Quote

The following are services that need to be quoted as part of the general installation and configuration of the EMS.

- Election Programming in the EMS
- Ballot styles configuration
    - General Elections: 4 different ballots
    - Primaries: Up to a maximum of 8 different ballots (Please refer to **Appendix B**)
- Logic and Accuracy Test Support

Please note that for support and training services, the itemized prices shall be inclusive of travel, living, and any other expenses. Itemized prices shall also be provided on a per diem basis for additional support services that might be required.

11.8.8 Election Operating Services to Quote

The following are services that need to be quoted as part of each election (i.e. general elections, primaries, plebiscite, etc.).

- Communication Infrastructure Project Support
- On Site Support for mock elections
- On Site Support for elections

For purposes of evaluating the quotes and comparing the different proponents costs, the CEE will estimate the cost of the system up to December 31, 2024, and will make the assumption that only two elections (a primary and a general election) will be held every four (4) years.

For support and training services the itemized prices shall be inclusive of travel, living, and any other expenses. Itemized prices shall also be provided on a per diem basis for additional support services that might be required.

12 QUOTING ALTERNATIVES

12.1 General information

Please note that in order for the proponent to not be disqualified from this RFP, the proponent is required to quote all three alternatives. All sections included in section 12 are considered Mandatory. As different alternatives are to be quoted, the CEE will project the implementation cost over a minimum period of eight (8) years.

12.2 Equipment purchase

Proponent is requested to present a proposal for providing to the CEE the equipment at purchase. This means that the CEE would be purchasing all the necessary hardware, software, firmware and services upfront without the need of other considerations, such as, warehousing.

12.2.1 Purchase Quoting Sheet

The proponent will assume a contractual obligation of securing the proposed price for a minimum of six thousand (6,000) machines up to a maximum of seven thousand five hundred (7,500), to be purchased before December 1st, 2015.

The purchase quote is divided into the following sections and explained herein:

I. Purchase Quotation Sheet
   - Questions
   - Cost Details
     - Non-Recurrent costs
     - Costs per election
     - Recurrent costs
   - Summary

II. Financing Quotation Sheet
   - Financing Calculation

III. Rental Quotation Sheet
   - Cost Details
     - Non-Recurrent costs
     - Costs per election
     - Recurrent costs
   - Rental Details
   - Summary

12.2.2 Non-Recurrent costs

Non-recurrent costs as defined in this RFP, include one-time costs incurred for each machine acquired or each service performed on a unitary basis (i.e. per machine, month, solution or lump sum).

Under the non-recurrent costs, the CEE has identified the following pertinent items:

a) Table 1: Hardware
   - Machine: refers to the Optical Scanning Machine. The proponent will present a quote for six thousand (6,000) machines up to December 1st, 2015. This cost should be presented on a per unit basis.
   - Backup Transmission Machine with Case
   - Machine Case

- Transportable Memory Device
- Transportable Memory Device Storage Case
- EMS Hardware with Redundancy
- Multiple Memory Device Writer (Burner)
- Memory Device Reclosable Static Shielding Bag

Please note that if for backup transmission, the proponent plans to utilize the same machine as the one to be used for a college, proponent shall answer "Yes" to Question 2 on the Purchase Quotation Workbook of the aforementioned excel spreadsheet.

b) Table 2: Development and Installation Services
   - Factory Acceptance Test
   - Validation Support
   - EMS, Database (DB), Operating System (OS) Installation and Configuration
c) Table 3: Training Services
   - Operator Training for the EMS
   - Operator Training for the Machines
   - Services and Troubleshooting Training
   - Maintenance Training
d) Table 4: General Services
   - Project Management Support
   - Support during Certification of Printing Facilities
   - Ballot Box Design and Reproductions Right
   - Ballot Box Inspection and Certification Services

The CEE understands that the proponent might believe that there exist other non-recurring items not considered above, but those will not be considered by the CEE.

12.2.3 Costs per election

Costs per election include proponent's charges to the CEE, when running a primary or a general election. The CEE considers such costs as the following:

a) Table 5: Programming and Configuration Services
   - Primary Election Programming in the EMS
   - General Election Programming in the EMS
   - Ballot Styles Configuration for Primaries
   - Ballot Styles Configuration for General Elections
   - Logic and Accuracy Test Support
b) Table 6: Election Operating Services
   - Communication Infrastructure Project Support for Primaries
   - Communication Infrastructure Project Support for General Elections
   - On Site Support for Primaries.
   - On Site Support for General Elections.

c) Table 7: Quadrennial Cost per Election Increase
    - Quadrennial Percent Rate
d) Table 7: Cost per Elections Year
    - Primaries and General Elections in 2016
    - Primaries and General Elections in 2020
    - Primaries and General Elections in 2024

12.2.4 Recurrent costs

Recurrent costs as defined in this RFP, include the regular costs incurred repeatedly, or for each machine acquired or each service performed on a repeated basis. The CEE understands that such repeated costs fall under the following categories:

a) Table 9: Licenses
    - EMS, Database & Operating System License
    - Firmware Licenses per machine. It is worth noting that the CEE has decided to maintain separate the firmware prices from those of the machine. Furthermore, the CEE believes that the firmware prices should be unitary, in other words, per machine purchased and not bundled.
b) Table 10: Maintenance. The CEE defines maintenances as the guarantee, issued by the proponent, promising to repair or replace when necessary the following equipment, within five (5) years from the date of the three (3) year warranty expiration. The maintenance shall cover 24X7; two (2) months prior to and two (2) months after any election event.
    - Machine
    - Backup Transmission Device
    - EMS Hardware with Redundancy
    - Multiple Memory Device Writer (Burner)

The above-mentioned recurring cost shall remain at fixed-price, up to December 31, 2016. From the moment of purchase and for the total machines bought prior to December 1st, 2015. Any additional machine that is bought by the CEE thereafter will be covered under a separate mutual agreement with the proponent at an agreed-upon price.

12.2.5 Summary

The summary section of the purchase alternative adds the following items in order to provide for a comparison of costs between the different quoting alternatives and ease the evaluation process for the CEE. Such items include the following:

a) Table 11: Initial Costs
    - Non-recurrent Costs
    - Elections Cost Calculated for 2016 General Elections and Political Parties Primaries.
    - 2016 Recurrent Costs
b) Table 12: Future Costs
    - Elections Cost Calculated for 2020 & 2024 General Elections and Political Parties Primaries.
    - 2017-2024 Recurrent Costs.

12.3 **Rental Quotation Sheet**

Proponent is required to present a proposal for the rental of the system in compliance with all the sections of his RFP. The rental shall be proposed by election assuming that at least twelve (12) months will be required for the lease term.

It is expected that for Primaries and General Elections the total of the rental machines shall be about a minimum of six thousand (6,000) machines, up to a maximum of seven thousand five hundred (7,500) machines. However, CEE requests quotes for smaller quantities of machines, for other elections.

In addition to all the installation, programming, installation and support services required as part of the proposal the rental agreement shall include the following:

12.3.1 **Quoting scope for equipment rental**

This scope of supply will cover the total machines required for a particular election. The different types of elections can vary, thus the quote shall be divided into:

a) Non Recurrent Costs
b) Costs per election
c) Recurrent Costs
d) Rental Details
e) Summary

The rental agreement shall include the shipment, storage and handling of the equipment from the proponent's site to the Electoral Operation's building of the CEE. The transportation back from the Electoral Operation's building of the CEE, to proponent's location shall, also be included on the rental price.

The proposal shall include on the rental fee all the required labor and material to either install the equipment during the election setup and to uninstall, packing and shipping all the equipment back to the proponent's warehouse.

The proponent and the CEE shall agree upon a request and delivery term for each election. In other words, the rental agreement needs to include the amount of time needed by the proponent to respond to a request from the CEE for an equipment rental for a particular election.

12.3.2 **Non-Recurrent Costs**

Non-recurrent costs as defined in this RFP, include one-time costs incurred for each machine produced or each service performed on a unitary basis (i.e. per machine, month, solution or lump sum). These costs are automatically carried over from what the proponent inserted under the purchase quotation sheet.

12.3.3 **Costs per election**

Costs per election include proponent's charges to the CEE, when running a primary or a general election. These costs are automatically carried over from what the proponent inserted under the purchase quotation workbook.

12.3.4 **Recurrent Costs**

Recurrent costs as defined in this RFP, include the regular costs incurred repeatedly, or for each machine acquired or each service performed on a repeated basis. These costs are automatically carried over from what the proponent inserted under the purchase quotation workbook.

12.3.5 Rental Details

This section provides for the proponent to fill tables for certain hardware and firmware licenses that can be unitized. It is the intent of the CEE that the proponent provides under this section, the monthly charges (i.e. rent) per hardware and firmware according to a pre-established quantity. The following is the equipment and firmware license under this section:

a) Machine with Firmware License.

b) Backup Transmission Device with Case, if applicable.

c) Machine Case.

d) Transportable Memory Device.

e) Machine Firmware License.

f) Multiple Memory Device Writer (Burner).

The CEE believes that the minimum order quantity (MOQ) will be ten (10), however the proponent should quote for the following quantity breakdown:

a) 10 to 49
b) 50 to 99
c) 100 to 199
d) 200 to 1,999
e) 2,000 to 5,999
f) 6,000 or more

It is a requirement that the proponent provide future cost (increase/decrease) for every four (4) years span. In the space allotted provide percentage increase/decrease.

12.3.6 Summary

The summary section of the purchase alternative adds the following items in order to provide for a comparison of costs between the different quoting alternatives and ease the evaluation process for the CEE. Such items include the following:

a) Table of Initial Costs
    - Non-recurrent Costs
    - Elections Cost Calculated for 2016 General Elections and Political Parties Primaries.
    - 2016 Recurrent Costs
    - 2016 General Elections and Primaries Machines, Firmware and Peripherals Rent
b) Table of Future Costs
    - Elections Cost Calculated for 2020 & 2024 General Elections and Political Parties Primaries.
    - 2017-2024 Recurrent Costs
    - 2020 & 2024 General Elections and Primaries Machines, Firmware and Peripherals Rent.

12.4 **Financing Quotation Sheet**

Proponent is requested to present a proposal for the financing of the system in compliance with all the sections of this RFP. The following terms shall be part of the financing quotation sheet:

a) Initial Cost without First Year Recurrent Cost
b) Amount to Finance
c) Number of Annuities

12.4.1 Quoting scope for equipment financing

The total purchase costs for this quoting alternative are obtained from the proponent's quoted costs under the purchase acquisition sheet. Such costs include the purchase of a minimum of six thousand (6,000) machines up to a maximum of seven thousand five hundred (7,500), validated, tested and ordered by December 1st, 2015.

Interest rates and amounts are automatically calculated and displayed at the bottom of the workbook.

CEE will make an initial outlay to cover the deliverables detailed below as they are completed. The initial outlay payment will be made on or before December 31, 2016. Please note that the CEE will retain 10% from each payment per law, which will be disbursed upon project completion.

It should be noted that, the aforementioned initial outlay does not include the license cost for the EMS and Firmware. The cost of the machines should include the minimum three (3) year warranty. These items are considered recurring costs for the duration of the contract and obtained from the purchase alternative workbook in the excel spreadsheet.

The finance terms shall include annual payments issued at the end of each year. The first annual payment will be made on or before December 31, 2017, one year after the last deliverable is completed and thereby the initial outlay amount fully executed (December 31, 2016). In his offer, the proponent shall include the amount required for the initial outlay, in addition to presenting financing terms up to a maximum of eight (8) years. However, license and maintenance fees extend up to December 31, 2024.

Most of the costs under the financing workbook are automatically carried over from what the proponent inserted under the purchase quotation workbook. The items that need to be filled out in the Financing Quotation Sheet are:

a) Initial Outlay Amount
b) Term of financing (number of years)
c) Annual Payment

12.5 **Uninterruptible Power Supply (UPS) Quotation Sheet**

Proponent is requested to present a proposal for the acquisition of six thousand (6,000) UPS. The only item that needs to be filled out in the Uninterruptible Power Supply Quotation Sheet is the UPS unit cost.

13 BASIS FOR AWARD

13.1 Evaluation of Proposals by Bid Board

The CEE Bid Board's decision will be based upon the mandatory terms and condition, the JAT's technical evaluation, the financial capability and price structure provided by the proponent. Any evaluation criteria that is a matter of disqualification, has been explicitly noted in this RFP. Therefore, any criteria that does not contain a disqualification matter, will not be basis for disqualification.

The CEE Bid Process is regulated by the dispositions of the Bid Regulation available on the CEE's web page at: http://www.ceepur.org/es-pr/Secretaria/Documents/Reglamento%20de%20Subastas%20de%20la%20CEE.pdf

In the event of any conflict between this RFP, or any portion thereof, and the aforementioned Bid Regulation, the terms of this RFP shall prevail.

This process is also regulated by the code of ethics for contractors, suppliers and requestors of economic incentives from the Executive Agencies from ELA located at: http://ceepur.org/es-pr/Compras/Paginas/Subastas.aspx with two additional amendments to this code.

CEE will conduct a comprehensive, fair and impartial evaluation of proposals received in response to this Request for Proposal. CEE has no preconceived notions as to what an Optical Scanning Vote Counting System may look like in relationship to current systems in place or other proposed innovations in elections technology. The objective of the final evaluation is to determine the proposal that most effectively meets CEE goals and requirements. If a contract is awarded for this project, it will be awarded to the Proponent or Proponents whose proposal, conforming to the RFP, will be most advantageous to the CEE and the Commonwealth of Puerto Rico, price and other factors considered.

CEE will select a number of knowledgeable professionals to review and score submitted proposals to determine which, at a minimum:

1) Demonstrate a sound approach
2) Demonstrate experience and qualifications
3) Best understand and meet RFP requirements
4) Quote reasonable costs
5) Minimize risk of failure to CEE, Municipalities and the Commonwealth of Puerto Rico
6) Have adequate finances and resources to successfully complete the project
7) Have adequate and qualified personnel

13.2 Proposal Evaluation

CEE will provide the Proponents with written requests for clarifications. Proponents will be provided a date at which oral presentations and demonstrations will be heard. The presentation will consist of a Proponent briefing concerning its technical approach and must also address clarifications and deficiency items identified by CEE that may lead to discussions.

Proposal evaluators will consist of CEE representatives from the financial industry, and information technology professionals. Evaluators will have an opportunity to modify their scores and comments based on deliberative discussions.

While a numerical rating system will be used to assist the evaluators in selecting the competitive range (if necessary) and making the award decision, the award decision is ultimately a business judgment that will reflect an integrated assessment of the relative merits of the proposals using the factors and relative weights.

13.2.1 Evaluation Phase 1 – Administrative (Pass/Fail)

On the date the proposals are due, the sealed proposals will be opened and evaluated by the Bid Board to determine if the administrative requirements have been met. These requirements include:

1) Proposals have complied with the bid due date and time
2) The requested format and number of copies are adhered to
3) The Request for Proposal Cover Sheet meets the content and other requirements
4) The Cover Letter is enclosed and meets the content and other requirements
5) Bid Bond is included and duly signed
6) Separate packaging rules are followed

Proponent shall be considered noncompliant and may be eliminated from further evaluation if these administrative requirements are not followed.

13.2.2 Evaluation Phase 2 – Oral Presentations and Demonstrations

Proponents shall provide an oral presentation concerning their overall proposal. Selected Proponents must be prepared to provide a presentation at a CEE designated location, during the timeframe listed in RFP Section 9.4 Schedule of Events.

Proponents will be given five (5) calendar days advance notice to prepare their oral presentation.
These presentations will provide Proponents with an opportunity to present information to the evaluators that the evaluators will use to award points to the proposal based on the following:

1) The Proponent's grasp and understanding of the project as a whole
2) The Proponent's overall approach to project execution and management
3) The Proponent's proposed OpScan solution

The Proponent's complete solution (hardware and software) must be demonstrated to the evaluators by the Proponent in not more than four hours. The purpose of this activity is to allow the evaluators to witness how the solution meets requirements and to gain a better understanding of the Proponent's proposed solution.

If a Proponent is unable or unwilling to provide this demonstration, an explanation as to why must be provided in the proposal.

13.2.3 Evaluation Phase 3 – Technical Proposal (75% weight factor)

Only those Proponents who pass Evaluation Phase 1 will enter Evaluation Phase 2. Phase 2 will result in a numerical score based upon the information provided in the Proponent's Technical Proposal, the clarity and conciseness of the information presented, and how well it meets the requirements as defined in each section.

13.2.3.1 Basis for Award

The bid board shall evaluate the proposals and make its award based on the following criteria:

13.2.3.2 Compliance with mandatory, mandatory at FAT and mandatory at implementation

Proponent shall comply with all mandatory, mandatory at FAT and mandatory at implementation requirements. Failure to meet any of these requirements, will result in the proponent being disqualified. These requirements will be evaluated by the following parties:

- JAT: Mandatory, mandatory at FAT and mandatory at implementation requirements for the technical section (Sections 6, 7 and 8)
- Bid Board: Mandatory requirements for the terms and conditions section (Section 9, 11 and 13)
- Commissioners' Financial Advisors: Mandatory requirements for the financial capability section (Section 10 and 12)

13.2.3.3 Technical Evaluation (70% weight factor)

The technical evaluation will be made by the JAT. Scores will be granted to the preferred requirements of the aforementioned sections. Please note that optional requirements are not taken into consideration for valuation purposes. Nevertheless, once an optional requirement is proposed, the proponent is required to provide it.

13.2.4 Evaluation Phase 4 – Financial Evaluation (10% weight factor)

The evaluation of a company's financial capacity will consist of a score valuation that will independently rank each proponent. This task will be performed by the Commissioners' Financial Advisors.

Each proposal will be assigned points based on the Cost Proposal. CEE will use the costs presented for hardware, software, labor, support and miscellaneous items in the cost evaluation of the proposal. If the proponent does not pass the financial evaluation the proposal shall be rejected.

13.2.4.1 Price Evaluation (20% weight factor)

Proponent shall comply with the quoting process set forth under section 10 and 11. The proponent shall utilize the provided Excel spreadsheet in order for their price structure to be considered. All three alternatives: purchase of equipment, equipment financing and equipment rental. For standardization purposes, all cost will be evaluated for a period ending December 31, 2024. The evaluation will consist of analyzing the price structure of the purchase alternatives. The Commissioners' Financial Advisors might determine, at any time, to not utilize the purchase alternative g and proceed with the evaluation of the other two alternatives. From these two alternatives, the Commissioners' Financial Advisors will then select the one that contains the lowest price.

The Commissioners' Financial Advisors, will then score the price structure given by each proponent, within the selected alternative. The Commissioners' Financial Advisors will utilize the following equation to determine the price evaluation score:

$$PES = \frac{LCA}{PCA} X\ 20$$

Where: PES = Price Evaluation Score
LCA = Lowest proposed cost from the selected alternative
PCA = Proposed cost from the selected alternative by the proponent being evaluated

13.2.5 Evaluation Phase 5 – Points Calculation

The points assigned in Phases 3 and 4 will be added together to produce a point score for each proposal.

13.3 Award Criteria

13.3.1

The valuation of the compliance with the mandatory, mandatory at FAT and mandatory at implementation, shall be based on the following factors:

- Complies with all mandatory, mandatory at FAT and mandatory at implementation:
  - MF = 1
- Does not comply with one or more mandatory, mandatory at FAT and mandatory at implementation:
  - MF = 0

The valuation of the criteria mentioned in the following table, shall be weighted as follows:

Basis for award criteria	Maximum Score
Evaluation of financial capacity (FC)	10
Technical evaluation (TE)	70
Price Evaluation (PE)	20
Total Score	100

13.3.2 Award Criteria Equation

The CEE Bid Board will utilize the following equation to calculate the total score for each proponent:

$$BAC = (FC + TE + PE) \times MF$$

Where:

BAC = Total Score

FC = Evaluation of Financial Capacity score TE =

Technical Evaluation Score

PE = Price Evaluation Score

MF = Mandatory Factors (Mandatory, Mandatory at FAT and Mandatory at Implementation)

13.3.3 Selection and Notification of Award

The CEE Bid Board will perform the selection of the proponent and award the contract. This selection will be done in accordance to the valuation methodology described under Section 13. The valuation done in accordance to the formula and scores described in the aforementioned section, will provide to the CEE Bid Board a total score. The CEE Bid Board will then select, for contract award, the proponent whose total score, as described in Section 13.3.2, is the highest. All proponents will be informed of the CEE's decision by the Bid Board.